



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

TJR  
Docket No: 2431-02  
22 May 2002



This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 21 May 2002. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record, and applicable statutes, regulations, and policies.

After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Navy on 25 June 1985 at the age of 24. Your record contains a performance record for the period 20 to 30 August 1985, which notes that you were referred for an administrative separation because of your substandard performance and conduct during recruit training. The recruit trainer's comments note that you were not motivated to continue training due to your overwhelming personal problems, refused training on two occasions due to circumstances beyond your control, and left your appointed place of duty without permission to see a chaplain.

Subsequently, you were notified that administrative separation had been initiated by reason of entry level performance and conduct. You waived the right to respond to the notification and did not object to the separation. The commanding officer noted that although you had done well in recruit training, extenuating circumstances and personal events had developed that seriously affected your ability to cope with the routine pressures associated with recruit training. It was also noted that you had been counselled concerning these problems, but they continued to

affect your ability to meet the requirements of recruit training; and that in view of your personal problems, their negative effect on your ability to complete training, and your minimal potential for productive Naval Service, an entry level separation was directed. On 4 September 1985 you were separated from the Navy with an entry level separation by reason of entry level performance and conduct, and were assigned an RE-4 reenlistment code.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and immaturity, personal problems, and your contention that you repeatedly stated that you did not want to leave the Navy. Nevertheless, the Board concluded these factors and contention were not sufficient to warrant a change in the entry level separation or the reenlistment code because of your failure to complete recruit training. The Board noted that on at least two occasions you refused training and that you had no motivation to continue training. The Board further concluded that the entry level separation and the RE-4 reenlistment code were appropriately assigned. Such a code is mandatory when an individual is separated by reason of entry level performance and conduct due to failure to complete recruit training. An entry level separation is proper and appropriate when an individual is separated within the first 180 days of active duty. Accordingly, your application has been denied.

The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER  
Executive Director