



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

CRS
Docket No: 5617-02
15 October 2003



This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the 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 10 September 2003. 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 that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Naval Reserve on 17 February 1982. You reported to active duty on 19 February 1982. The record reflects that on 20 September 1984 you received nonjudicial punishment for an unauthorized absence of two days.

On 24 November 1984 the commanding officer recommended that you be separated with a general discharge by reason of secretarial authority due to financial irresponsibility and indebtedness. When informed of this recommendation, you elected to waive the right to submit a statement in response to the discharge action. On 10 January 1985 the Navy Personnel Command approved the recommendation and sent it to the Secretary of the Navy who directed discharge on 11 January 1985. On 23 January 1985 you received a general discharge. At that time, you were assigned a reenlistment code of RE-4.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as your youth and immaturity and the contention that you were told that the discharge would be

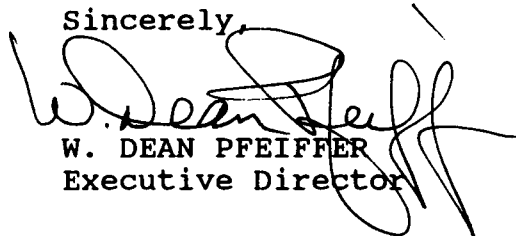
upgraded after six months. However, the Board concluded that these factors were not sufficient to warrant recharacterization of your discharge, given your financial irresponsibility and indebtedness. In this regard, no law or regulation provides for upgrading a discharge based solely on the passage of time. Therefore, the Board concluded that no change to the discharge is warranted.

An individual may be separated by reason of secretarial authority if separation is appropriate but no other reason covers the situation at hand. Individuals separated for this reason may receive a reenlistment code of RE-4. Since you were deemed to be financially irresponsible, the Board concluded that there is no error or injustice in your reenlistment code.

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