



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

FC
Docket No: 05774-03
27 October 2003

[REDACTED]

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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 22 October 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 Navy on 20 March 2000 at age 21. You served without incident until 14 February 2001, when you received nonjudicial punishment (NJP) for a 20-day period of unauthorized absence, and were awarded restriction and extra duty.

On 20 February 2001 you requested a discharge by reason of convenience of the government due to your being a surviving family member. On 22 February 2001 the officer in charge forwarded your request recommending approval. On that same day, the separation authority approved your request; you received a general discharge, and were assigned a reenlistment code of RE-4.

On the day of your discharge, you received a separation evaluation with an overall trait average of 2.67 and marginal

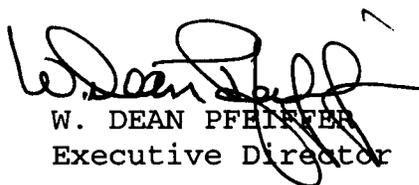
marks of 2.0 in the marking categories of military bearing/character and personal job accomplishment. Furthermore, you were not recommended for retention.

In its review of your case, the Board carefully weighed all potentially mitigating factors such as your desire to serve again. However, because of the 20-day period of unauthorized absence that led to an NJP, and especially the non-recommendation for retention on the evaluation, the Board concluded that that the RE-4 reenlistment code was properly and appropriately assigned. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

The Board did not consider whether the characterization of service or reason for separation should be changed since you did not request such action and you have not exhausted your administrative remedies by applying to the Naval Discharge and Review Board (NDRB). Enclosed is a DD Form 293 that you may use to apply to the NDRB.

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

Enclosure