



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

CRS
Docket No: 5109-06
27 September 2006

[REDACTED]

[REDACTED]

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 27 September 2006. 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 on 23 June 2004 you enlisted in the advanced pay grade (APG) program of the Navy Reserve with no prior military service. Informal contact with your prior reserve unit reveals that you were scheduled on two occasions for an APG military training course. However, you did not attend this course as you could not complete the required physical readiness test within one year.

Although the record provided to the Board does not contain the separation documents, it appears that your commanding officer recommended that you be separated with a general discharge by reason of unsatisfactory participation and, after review by the discharge authority, the recommendation for separation was approved. The record clearly shows that on 2 August 2005 you received a general discharge by reason of unsatisfactory participation. At that time, you were assigned a reenlistment code of RE-4.

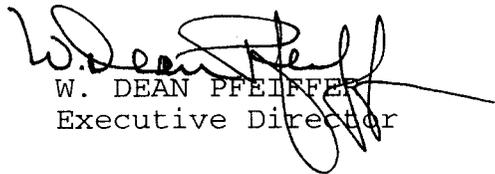
As a reservist, you were incorrectly given a reenlistment code. However, that code means that you were not recommended for

reenlistment. Such a recommendation was appropriate for a reservist separated by reason of unsatisfactory participation. 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 your characterization of service or reason for separation should be changed, since you did not ask for such consideration and you have not exhausted your administrative remedy by applying to the Naval Discharge Review Board (NDRB). You may apply to NDRB by submitting the attached DD Form 293.

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