



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

CRS
Docket No: 846-07
2 May 2008

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy
Subj: [REDACTED]
REVIEW OF NAVAL RECORD

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) Case Summary
(2) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner applied to this Board requesting that his naval record be corrected by changing the reentry code he was assigned on 15 August 2002.

2. The Board, consisting of Mr. [REDACTED], Mr. [REDACTED], and Mr. [REDACTED], reviewed Petitioner's allegations of error and injustice on 23 April 2008 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Petitioner enlisted in the Navy on 18 September 1998. On 21 February 2000 he received nonjudicial punishment for making a false official statement on two occasions and theft.

c. Petitioner's enlisted evaluation for the period 19 June to 2 August 2002 recommended him for retention and early promotion. He also had recently passed the MM3 examination.

d. On 15 August 2002 Petitioner was honorably released from active duty and transferred to the Navy Reserve. He was assigned a reentry code of RE-4.

CONCLUSION:

Upon review and consideration of all the evidence of record the

Board concludes that Petitioner's request warrants favorable action. In this regard, the Board notes that Petitioner's record was free of any disciplinary action for nearly two and one-half years from the time of his nonjudicial punishment. In addition he was recommended for retention in his last evaluation and had recently passed the MM3 examination. Therefore, the Board concludes that Petitioner's overall record does not warrant the most restrictive reentry code of RE-4 and that it would be appropriate and just to change his reentry code to RE-1.

RECOMMENDATION:

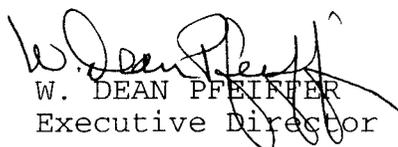
- a. That Petitioner's naval record be corrected to show that that on 15 August 2002, he was assigned an RE-1 reentry code instead of the RE-4 reentry code actually assigned on that date.
 - b. That a copy of this Report of Proceedings be filed in Petitioner's naval record.
4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder



JAMES R. EXNICIOS
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.



W. DEAN PFEIFFER
Executive Director