



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

SJN
Docket No: 09877-07
6 August 2008

[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 5 August 2008. 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.

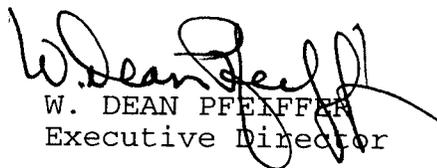
You enlisted in the Navy on 6 August 2002. You served for over four years and were advanced to paygrade E-4. On 3 April 2007, you signed an evaluation covering the period from 2 November 2006 to 5 April 2007, in which you were not recommended for retention due to your inadequate professional skill and poor quality of work. Further, it reported that you were progressing but ineligible for advancement or retention. The record also shows that an "early out" request was approved. On 5 April 2007, you were honorably released from active duty by reason of "reduction in force". At that time you were assigned an RE-4 reenlistment code.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your overall record of service, to include your prior command's recommendation for retention, and personal family issues you were encountering at that time. Nevertheless, the Board concluded these factors were not sufficient to warrant a change in your reenlistment code. In this regard, an RE-4 reenlistment code is required when an

individual is separated due to an "early out" request and is not recommended for retention. 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