



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

SMS  
Docket No: 3822-08  
26 January 2009



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 23 January 2009. 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.

On 26 November 2001, you reenlisted in the Navy at age 23 after a prior period of honorable service. On 6 December 2002, you had nonjudicial punishment for drunken and reckless driving. Based on the information currently contained in the record, it appears that you were subsequently found to be an alcohol rehabilitation failure. It also appears that your commanding officer recommended you for administrative separation by reason of misconduct due to commission of a serious offense and convenience of the government because of alcohol rehabilitation failure. The record shows that your case was heard by an administrative discharge board which recommended separation by reason of misconduct due to commission of a serious offense and convenience of the government because of alcohol rehabilitation failure, and a general characterization of service. Apparently the separation authority approved the discharge recommendation and directed discharge by reason of convenience of the government because of alcohol rehabilitation failure.

On 15 March 2003, you received a performance evaluation which did not recommend you for retention. On 25 April 2003, you were honorably discharged by reason of convenience of the government because of alcohol rehabilitation failure and assigned an RE-4 reenlistment code.

Regulations direct assignment of an RE-4 reenlistment code to members who are not recommended for retention or are discharged because of alcohol rehabilitation failure. Since you have been treated no differently than others in your situation, the Board could not find an error or injustice in the assignment of the RE-4 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