



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

CRS
Docket No: 5509-08
28 October 2008



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 8 October 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 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 11 August 2004. On 1 November 2007 your commanding officer recommended that you be separated from the Navy with an honorable discharge by reason of physical standards due to your repeated failures of physical fitness assessments. You were honorably discharged on 5 November 2007, and assigned a reentry code of RE-4 as directed by your commanding officer. For reasons unknown to the Board, an entry of that date in the local Navy Standard Integrated Personnel System (NSIPS) shows that you received a reentry code of RE-3F.

The Board noted that a reentry code of RE-3F or RE-4 may be assigned to a service member discharged by reason of physical standards. A code of RE-4 is generally assigned in cases such as yours, where there is evidence of lack of motivation. The reentry code of RE-3F listed in NSIPS does not supersede or invalidate the code directed by your commanding officer and entered on your DD Form 214. 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