



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

CRS
Docket No: 6090-08
2 October 2009

[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 10 September 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 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 30 July 1999. On 10 March 2003 you received nonjudicial punishment for committing an assault with a dangerous weapon. In your final evaluation report, which covers the period 10 March to 28 June 2003, your commanding officer did not recommend you for retention because of your commission of a serious offense and failure to conform to applicable weight standards. You were honorably released from active duty on 29 July 2003 and assigned a reentry code of RE-4.

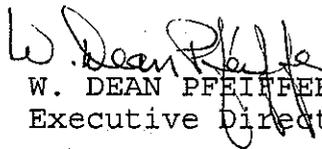
Applicable regulations normally require the assignment of an RE-4 reentry code to individuals who are not recommended for retention. As your reentry code was properly assigned, and as you have not demonstrated that it would be in the interest of justice for the Board to change it as an exception to policy, the Board denied your request. The names and votes of the members of the panel will be furnished upon request.

Concerning the issue of the restoration of your maiden name, you should contact the Navy Personnel Command, Pers 312 in

Millington, TN.

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