



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

SJN
Docket No: 06424-08
1 May 2009

[REDACTED]

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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 28 April 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.

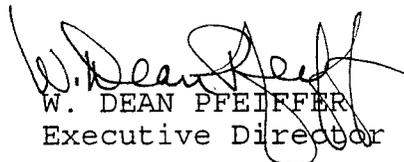
You enlisted in the Navy on 22 January 2008 at age 18. On 2 February 2008, you received an administrative warning concerning your first failure to meet the minimum physical fitness assessment (PFA). As a result, you were given additional opportunities to successfully complete this training, and were warned that failure to meet the minimum standards could result in administrative discharge action. Unfortunately, on 18 April 2008, you failed your final PFA after 15 attempts. Subsequently, a recruit evaluation report covering the period 8 February to 22 April 2008 stated, in part, that you showed severe lack of military bearing, failed to following instructions, did not listen to division staff, had to be told numerous times to do things, and failed the PFA.

On 28 April 2008, your commanding officer (CO) initiated administrative separation action. You elected not to submit a statement or to receive a copy of the documents that were forwarded concerning your separation. On 5 May 2008, your CO forwarded your case directing your separation. On 9 May 2008 you were discharged with an entry level separation. At that time, you were assigned a reenlistment code of RE-4.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth and brief period of service. Nevertheless, the Board found that these factors were not sufficient to warrant a change in your reenlistment code because of the many opportunities you were given by your command and continued failure to achieve the minimum standards in physical fitness. Further, an RE-4 reenlistment code must be assigned to all individuals separated during recruit training for unsatisfactory performance. 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