



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

TRG  
Docket No: 6924-08  
14 January 2009

[REDACTED]

[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 6 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 that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Navy on 16 March 1993. The record shows that you then served without incident for several years. On 16 June 1996 you were advanced to petty officer third class. The performance evaluation for the period from 16 June 1996 to 15 December 1996 is adverse with an overall trait average of 2.14, adverse comments and a nonrecommendation for reenlistment. A copy of that evaluation is enclosed for your information. On 1 January 1997 you received nonjudicial punishment for an unspecified period of unauthorized absence. You were released from active duty on 28 February 1997 with an honorable characterization of service. At that time, you were assigned an RE-4 reenlistment code. Subsequently you were issued an honorable discharge certificate upon completion of your eight year military obligation.

You point out in your application that you received a Good Conduct Medal and other awards and, in effect, that you should have been recommended for reenlistment. However, the performance evaluation for the period ending 15 December 1996 is adverse and you received nonjudicial punishment after that date which was about two months prior to your release from active duty. The Board concluded that the RE-4 reenlistment code was properly assigned and no change is warranted.

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

Enclosure