



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

TRG  
Docket No: 7627-08  
10 October 2008

[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 30 September 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.

You enlisted in the Navy Reserve on 29 October 2001. You then served in a satisfactory manner for several years. Apparently after a period of annual training, it was discovered that you had failed to repay \$452.18 of unauthorized charges to your government travel card. On 22 January 2005 you signed an agreement to repay the debt. On 27 February 2005, you received nonjudicial punishment for failure to pay your debt and the documentation stated that you had failed to comply with your agreement to pay. Subsequently, you made two payments totaling \$290. There is no further information concerning payments in your record. On 24 March 2005 you were notified of separation processing by certified mail. There is no evidence in the record that you replied to the notification. After review, the discharge authority directed a general discharge by reason of misconduct and you were so discharged on 23 September 2005. At that time, you were not recommended for reenlistment and were assigned an RE-4 reenlistment code.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as your period of good service and the statement you submitted which purports to show that your indebtedness at issue was paid in full in April 2007.

The Board did not consider upgrading your discharge or changing the reason for your discharged because you are required to have these issues considered by the Naval Discharge Review Board prior to consideration by this Board. However, it is noted that there is no evidence that you contested the discharge processing or explained the indebtedness status to the discharge authority. Concerning the RE-4 reenlistment code, regulations require the assignment of such a code with an individual is discharged by reason of misconduct. Since you have been treated no differently than others discharged for that reason, 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