



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

CRS
Docket No: 9177-08
23 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 15 October 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 7 January 2003. On 20 July 2005 you received nonjudicial punishment for possession of illegal drugs. You were honorably released from active duty on 6 January 2007 and transferred to the Navy Reserve. You were assigned a reentry code of RE-4 to indicate that you were not eligible for reenlistment.

A Sailor must be recommended for advancement and retention in his last two graded evaluations in order to be eligible for reenlistment. Since you were not recommended for advancement or retention in your next to last graded evaluation which covers the 21 July 2005 to 15 July 2006 period, you were not eligible for reenlistment. As you have not demonstrated that your reentry code is erroneous or unjust, the Board concluded that there is no basis for changing it, and denied your application. 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