



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

TJR
Docket No: 10342-08
1 October 2009

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, 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 29 September 2009. The names and votes of the members of the panel will be furnished upon request. 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 Marine Corps on 6 September 1996 at age 27 and began a period of active duty on 26 September 1996. You served without disciplinary incident until 20 June 2000, when you received nonjudicial punishment (NJP) for failure to obey a lawful order. The punishment imposed was a reduction in paygrade and a \$667 forfeiture of pay.

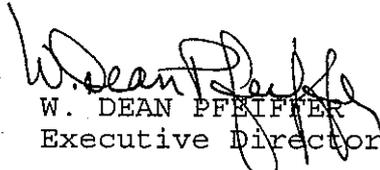
Your record contains two enlisted performance evaluations in which you were not recommended for retention or advancement because your performance was well below standards and required constant supervision, your lackluster approach to completing tasks and lack of attention to detail, and your continued lack of improvement which resulted in you being an administrative and managerial burden.

On 10 January 2006, upon the completion of your required active service, you were honorably discharged. At that time you were not recommended for reenlistment and assigned an RE-4 reenlistment code.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your desire to have your RE-4 reenlistment code changed so that you may reenlist. It also considered your concerns regarding your enlistment performance evaluation which states that you did not meet Navy core values. Nevertheless, the Board concluded these factors were not sufficient to warrant a change in your reenlistment code because of your nonrecommendation for retention, advancement, and reenlistment. The Board concluded that your military deficiencies, as well as the nonrecommendation were sufficient to support the assignment of an RE-4 reenlistment code. Accordingly, your application has been denied.

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