



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

BAN  
Docket No: 02502-08  
24 November 2008

[REDACTED]

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

You enlisted in the Navy on 30 July 2001, and served without disciplinary incident. However, on 16 February 2006, due to an alcohol-related incident not resulting in nonjudicial punishment, you were afforded the opportunity to attend the Substance Abuse Rehabilitation Program (SARP) for treatment. At the end of your treatment, you were diagnosed with "episodic excessive alcohol abuse", binge drinking, and were advised to refrain from any further use of alcohol.

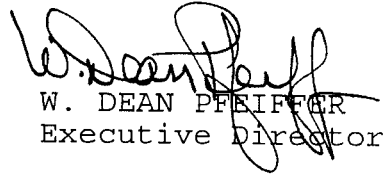
However, after the completion of SARP, you continued to consume alcohol. Therefore, in April 2007, you were processed for alcohol rehabilitation failure and were afforded your right to consult with legal counsel. You received an other than honorable (OTH) discharge and an RE-4 reenlistment code on 30 April 2007.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and claim that you did not receive SARP treatment a second time, prior to your separation. However, the Navy is not required to send a service member to SARP a second time for an additional alcohol-related incident prior to your separation. Once you were discharged, you could have received treatment from the Department of Veterans Affairs due to your honorable discharge characterization. Nevertheless, the Board concluded these factors were not sufficient to warrant a change to your RE-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