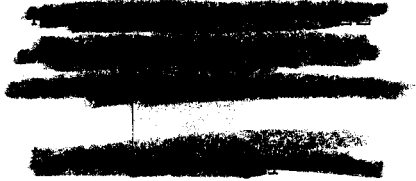




DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

SMS
Docket No: 2623-08
20 November 2008



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 19 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.

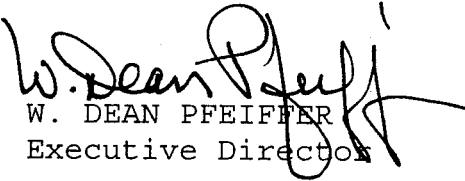
On 14 March 1983, you enlisted in the Navy at age 19 and served without incident until 5 March 1986, when you had nonjudicial punishment for wrongful disposition of government property and obtaining services under false pretenses. On 13 March 1987, you signed a service record entry in which you acknowledged that you were not recommended for retention due to minor disciplinary infractions and assigned an RE-4 reenlistment code. On 13 March 1987, you were honorably released from active duty due to being transferred to the Navy Reserve and assigned an RE-4 reenlistment code. On 13 March 1989, you were honorably discharged from the Navy Reserve due to the expiration of your obligated service and were not recommended for retention.

Regulations authorize the assignment of an RE-4 reenlistment code to service members who are honorably released from active duty and are not recommended for retention. Given your

disciplinary record, and since you have been treated no differently than others in your situation, 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