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

TRG  
Docket No: 3210-08  
27 June 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 3 June 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 on 31 August 1999 at age 24. At that time, your mother had custody of your three year old daughter. Subsequently, your mother became ill and could no longer care for your daughter. On 12 June 2000, you indicated that you could not comply with the terms of the Family Care Plan Certificate. Since you were unable to deploy, you were notified of separation processing by reason of parenthood. At that time, you elected to waive your procedural rights. On 14 November 2000, the discharge authority approved the recommendation of your commanding officer that you be honorably discharged by reason of parenthood. You were honorably discharged on 12 January 2001. At that time, you were assigned an RE-3B reenlistment code.

Subsequently, you were granted a waiver and were allowed to enlist in the Navy Reserve. Since then you have served in an excellent manner and have been advanced in rate.

You contend in your application, that the discharge by reason of parenthood is in error because you should have been discharged by reason of hardship. You believe that the reason of parenthood implies that you were discharged because of pregnancy or childbirth which does not apply in your case.

It is clear from the record that after your mother became ill there was no one you trusted to care for your child while you were deployed. This situation is no different from the problems faced by many single parents and it is not considered to be a hardship. It is Navy policy to separate individuals in your situation by reason of parenthood and you have been treated no differently than many others.

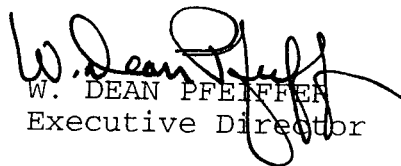
Regulations require the assignment of an RE-3B or an RE-4 when an individual is discharged by reason of hardship. Accordingly, you received the least restrictive reenlistment code authorized by the regulations.

The Board concluded that the reason for your discharge and the reenlistment code were proper in all respects and no change is warranted.

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