



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

CRS
Docket No: 2018-09
30 November 2009

[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 24 November 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 29 January 2002. You received nonjudicial punishment on three occasions for offenses that included underage drinking and wrongfully having alcohol in the bachelor enlisted quarters. On 18 October 2002 you completed Level II Intensive Outpatient Alcohol Rehabilitation Treatment Program. Thereafter, you received nonjudicial punishment for an unauthorized absence, drunk driving, and underage drinking. You received a general discharge by reason of alcohol abuse rehabilitation failure on 18 September 2003, and were assigned a reentry code of RE-4.

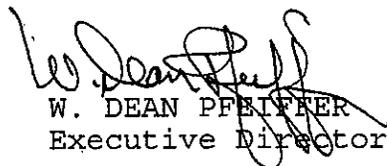
The Board found that you received a general discharge because your overall trait average was below the minimum required for an honorable discharge. The Board found your contention to the effect that your conduct has been outstanding since your discharge insufficient to warrant an upgrade of your discharge.

Applicable regulations require the assignment of an RE-4 reentry code to individuals discharged due to alcohol abuse rehabilitation failure. Since you have been treated no

differently than others discharged for that reason, the Board could not find an error or injustice in the assignment of the RE-4 reentry 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