



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

CRS  
Docket No: 2234-09  
4 May 2009

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: FORMER [REDACTED] REVIEW OF  
NAVAL RECORD

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) Case Summary  
(2) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner applied to this Board requesting his naval record be corrected by changing the reentry code he was assigned on 24 November 2008.

2. The Board, consisting of Messrs. [REDACTED] and [REDACTED] reviewed Petitioner's allegations of error and injustice on 29 April 2009 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Petitioner enlisted in the Navy on 12 September 2003. On 19 November 2008 he received nonjudicial punishment for use of provoking speeches and gestures.

c. Petitioner's enlisted performance evaluation for the period 16 March to 24 November 2008 did not recommend him for retention and stated that he had significant problems.

d. On 24 November 2008 Petitioner was honorably released from active duty and transferred to the Navy Reserve. He was assigned a reentry code of RE-4.

CONCLUSION:

Upon review and consideration of all the evidence of record the Board concludes that Petitioner's request warrants favorable action. In this regard, the Board notes that Petitioner's last

evaluation is vaguely worded and contains few specifics that would substantiate the recommendation for non-retention and significant problems. Therefore, the Board concludes that Petitioner's overall record does not warrant the most restrictive reentry code of RE-4 and that it would be appropriate and just to change his reentry code to RE-1.

RECOMMENDATION:

a. That Petitioner's naval record be corrected to show that on 24 November 2008, he was assigned an RE-1 reentry code instead of the RE-4 reentry code actually assigned on that date.

b. That a copy of this Report of Proceedings be filed in Petitioner's naval record.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN  
Recorder



JAMES R. EXNICIOS  
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.



W. DEAN PFEIFFER  
Executive Director