



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

TAL  
Docket No: 4238-09  
12 March 2010

[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 3 March 2010. 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.

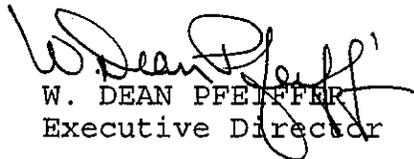
You enlisted in the Navy and began a period of active on 7 January 1987 at age 22. On 25 August 1987, you received nonjudicial punishment (NJP) for unauthorized absence (UA) from your unit for a period of three days. On 10 May 1988, you received NJP for UA from you appointed place of duty. On 27 June 1988, you received NJP for UA from you appointed place of duty. On 19 June 1989, you received NJP for UA from you appointed place of duty and two instances of insubordinate conduct toward a petty officer. On 19 July 1990, you received NJP for disrespect toward a petty officer. On 27 December 1990, within three months of the completion of your required active service, you were honorably released from active duty and transferred to the Navy Reserve. You were not recommended for retention or reenlistment and were assigned an RE-4 reenlistment code. On 19 December 1994, at the expiration of your enlistment, you were honorably discharged.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and desire to change your reenlistment code for possible reentry into the armed forces. Nevertheless, the Board

concluded these factors were not sufficient to warrant a change in your reenlistment code because of your misconduct and the nonrecommendation for reenlistment which was sufficient to support the assignment of an 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 PFEFFER  
Executive Director