



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

TAL  
Docket No: 8841-09  
11 June 2010

[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 9 June 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.

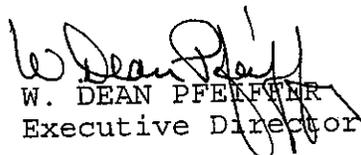
You enlisted in the Navy and began a period of active duty on 19 January 1999 at age 23. You were the subject of a substance use evaluation and diagnosed as alcohol and drug dependent, conditions that existed prior to enlistment. It was found that you did fail to disclose your pre-service drug use during the enlistment process. On 1 February 1999, administrative discharge action was initiated to separate you by reason of uncharacterized (void) enlistment due to erroneous entry (drug use). Your commanding officer directed your separation. Subsequently, on 1 February 1999 you were separated and at that time assigned an RE-4 reenlistment code.

The Board in its review of your application carefully weighed all potential mitigating factors, such as your youth, and overall record of service. Nevertheless, the Board concluded that these factors were not sufficient to warrant recharacterization of your discharge given the seriousness of your misconduct. Finally, an RE-4 reenlistment code must be assigned to all Sailors discharged

due to drug abuse. 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