



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

REC  
Docket No: 13330-09  
16 September 2010

[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 15 September 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 6 June 2001, at age 17. On 16 April 2004, you received nonjudicial punishment (NJP) for being absent without leave and failure to obey a lawful order. On 6 October 2004, you received NJP for being absent without leave for the second time, failure to obey a lawful order, and missing the movement of your ship. On 20 January 2005, you received NJP for being in an unauthorized absence (UA). You were counseled and informed that you would receive a reenlistment code of RE-4 upon your separation as you were not recommended for retention. On 5 June 2005, you were honorably discharged from active duty while serving in pay grade E-2 and not recommended for reenlistment due to substandard behavior. At that time, you were assigned an RE-4 reenlistment code.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth and overall record of service. Nevertheless, the Board concluded these factors were not sufficient to warrant a change in the reenlistment code, given your record of three NJP's. In this regard, an RE-4 reenlistment code is required when an individual is discharged at the expiration of his term of active obligated

service and is not recommended for retention. 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