



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

CRS
Docket No: 3055-10
25 January 2011

[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 17 November 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 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 21 August 1989. On 6 October 1989 you were given a diagnosis of keratoconus, existing prior to service. On 20 October 1989 you received an entry level separation by reason of erroneous entry and were assigned a reentry code of RE-4.

In its review of your application the Board carefully weighed all potentially mitigating factors, and the unsubstantiated contention they you were medically fit prior to enlistment. The Board concluded that those factors were insufficient to warrant characterizing or changing the reason for your discharge. It noted that an entry level separation is required when separation processing is initiated within the first 180 days of active duty.

The Board found that a reentry code of RE-4 is authorized by regulatory guidance in cases such as yours and is often assigned to service members separated by reason of erroneous entry. The Board was not persuaded that it would be in the interest of justice to assign you a more favorable 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