



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

BAN
Docket No: 04171-10
14 January 2011



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 13 January 2011. 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.

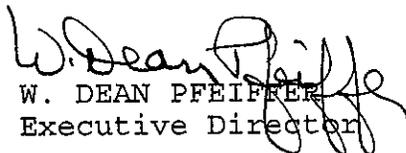
You had prior naval service from 1997 to 2001, received an honorable discharge and were recommended for reenlistment. You reenlisted in 2001, and served without disciplinary incident. However, upon expiration of your obligated service (EAOS), you were not recommended for reenlistment due to your anger management issues. Despite extensive counseling and stress and anger management seminars, your temperament and conduct were incompatible with naval service. Therefore, you were separated at the end of your EAOS with an honorable discharge and an RE-4 (not recommended for retention) reentry code.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your prior honorable service, awards, and evaluations. Nevertheless, the Board concluded these factors were not sufficient to warrant a change to your reentry code due to your anger management issues. Furthermore, the Board noted that on

your separation evaluation you stated that you intended to submit a statement regarding your adverse evaluation, but failed to do so. 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