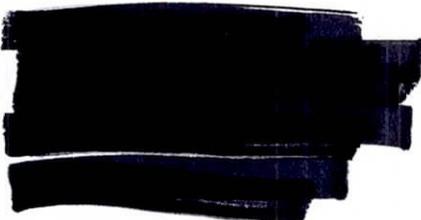




DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

TJR
Docket No: 6704-10
14 April 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 12 April 2011. The names and votes of the members of the panel will be furnished upon request. 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 on 18 June 1990 at age 17 and began a four-year period of active duty on 11 June 1991. You served without disciplinary incident and on 16 March 1993 you were advanced to paygrade E-4.

Your record contains an adverse performance evaluation for the period from 8 June 1993 to 30 June 1994 which reflects, in part, that you were not recommended for advancement or retention. It also contains a separation performance evaluation for the period from 1 July 1994 to 10 June 1995 which also reflects you were not recommended for retention or reenlistment. It further contains an administrative remarks entry, which you signed/acknowledged that reflects, in part, that you were not eligible for reenlistment due to "not having been recommended for reenlistment" by your command.

On 10 June 1995, upon completion of a four year period of required active service, you were honorably released and transferred to the Navy Reserve from active duty. At that time you were not recommended for retention or reenlistment and were assigned an RE-4 reenlistment code. On 17 June 1998 you were honorably discharged at the expiration of your enlistment.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth, overall satisfactory record, and desire to change your reenlistment code. Nevertheless, the Board concluded these factors were not sufficient to warrant a change in your reenlistment code because of your ineligibility and nonrecommendation for reenlistment which are sufficient to support the assignment of an RE-4 reenlistment code, and are authorized by regulatory guidance. Accordingly, your application has been denied.

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