



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

BAN
Docket No: 06937-10
21 March 2011

[REDACTED]

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 16 March 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.

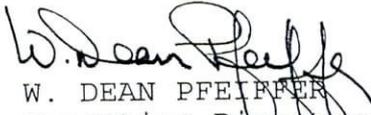
You enlisted in the Navy on 12 June 2003, and served without disciplinary incident until 13 April 2007, when you received nonjudicial punishment (NJP) for failure to obey a lawful order. At the end of obligated service on 11 June 2008, you were separated in pay grade E-2 with an honorable discharge and assigned an RE-4 reentry code (not recommended for reenlistment).

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your claim that your honorable discharge should warrant an RE-1 reentry code. Nevertheless, the Board concluded these factors were not sufficient to warrant a change to your reentry code because of your NJP, non-recommendation for retention, and failure to be serving in pay grade E-3 at the end of your first enlistment. 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