



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

REC
Docket No: 00985-11
2 November 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 2 November 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 and began a period of active duty on 4 December 2007, in the nuclear propulsion program. On 6 March 2008, you received nonjudicial punishment (NJP) for failure to obey an order/regulation by wrongfully allowing a fellow Sailor to copy your homework. On 14 March 2008, you were disenrolled from the nuclear propulsion training program. On 21 March 2008, you were advised that your commanding officer was recommending you for administrative separation with an uncharacterized entry level separation and a reentry code of RE-4 due to misconduct. You waived all of your procedural rights, including your right to an administrative discharge board (ADB). On 28 March 2008, you were so discharged. At that time you were assigned an RE-4 reentry code as you were not recommended for retention.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your overall record of service. Nevertheless, the Board concluded these factors were not sufficient to warrant a change of the reentry code, given your record of one NJP for a serious offense. In this regard, an RE-4 reentry code is appropriately assigned when an individual is

discharged for misconduct 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