



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

TAL
Docket No: 1255-11
3 November 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 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.

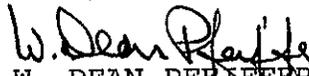
You enlisted in the Navy and began a period of active duty on 15 October 1997 at age 19. On 22 February 2001, you received nonjudicial punishment (NJP) for drunk and disorderly conduct. On 26 March 2001, you were admitted to a Level II Alcohol Abuse Rehabilitation Treatment program and diagnosed as an alcohol abuser. On 20 April 2001, you completed the intensive phase of treatment. On 22 June 2001, you were admitted to the emergency room at the Naval Hospital, Bremerton, Washington, and diagnosed with acute alcohol intoxication. On 25 July 2001, you received NJP for two instances of being incapacitated for the performance of duties through prior wrongful indulgence in intoxicating liquor and drunk and disorderly conduct. After your first NJP, you were counseled regarding your misconduct and warned that further offenses could result in administrative separation. You were notified of pending administrative discharge processing with a general discharge due to alcohol rehabilitation failure. You waived all of your procedural rights, including your right to an

administrative discharge board (ADB). On 28 August 2001, you received the general discharge for alcohol rehabilitation failure and were assigned an RE-4 reentry code, which means that you were neither recommended nor eligible for reenlistment.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth and overall record of service. Nevertheless, the Board found that these factors were not sufficient to warrant a change in your reentry code given your two NJP's and failure to complete your command's alcohol rehabilitation program. Finally, an RE-4 reentry code must be assigned to all Sailors discharged due to alcohol rehabilitation failure. 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