



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

BJG  
Docket No: 1329-11  
3 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 1 November. 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.

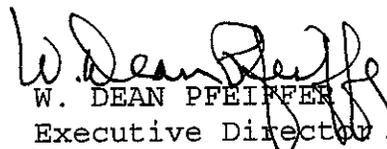
After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Navy and entered active duty on 22 February 2006. On 27 February 2006, you were diagnosed with patella femoral pain in the right knee which existed prior to your enlistment that interfered with the performance of your duties. You were then processed for administrative separation due to your diagnosed condition. On 15 March 2006, you received an uncharacterized entry level separation due to fraudulent entry, and were assigned an RE-4 (not recommended for retention) reentry code.

In its review of your application, the Board carefully weighed all potentially mitigating factors, such as your youth and current desire to change the characterization of your discharge and reentry code. However, the Board concluded that your uncharacterized entry level separation should not be changed due to the fact that administrative separation processing was initiated before you had been on active duty for 180 days. The Board further concluded that your RE-4 reentry code was correct based on your fraudulent enlistment and failure to complete recruit training. In view of the above, 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