



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

BJG
Docket No: 1799-11
8 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 8 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 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 15 August 2005. You received nonjudicial punishment for failure to obey an order or regulation and being drunk on duty. You were reduced in rank from pay grade E-4 to E-3. At the completion of your required active duty, you were released to the Navy Reserve with an honorable characterization of service, not recommended for retention, and were assigned an RE-3R (failure to meet professional growth criteria) reentry code.

In its review of your application, the Board carefully weighed all potentially mitigating factors, such as your honorable service and current desire to change your reentry code. However, the Board concluded that you should have been assigned an RE-4 (not recommended for retention) reentry code in light of your misconduct and non-recommendation for retention. The Board noted that you were fortunate to receive an RE-3R reentry code, which is waivable by prior service recruiting personnel. 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