



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE ROAD, SUITE 1001  
ARLINGTON, VA 22204-2490

SJN  
Docket No: 03669-11  
1 February 2012

[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 31 January 2012. 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 December 2004. The Board found that on 28 April 2005, you received nonjudicial punishment (NJP) for underage drinking. On 10 May 2005, you were the subject of a mental health evaluation that determined you had manifested a disorder of character, behavior and adaptability that was of such severity as to preclude adequate military service. Although you were not a risk for suicide or homicide, there was an ongoing risk that you could have caused danger to yourself or others. You were diagnosed with an adjustment disorder and a personality disorder. On 20 June 2005, administrative discharge action was initiated by reason of misconduct. You waived your rights to consult counsel, submit a statement or have your case reviewed by high authority. On 23 June 2005, you received a second NJP for two instances of disobedience by possessing alcohol in the enlisted barracks, and once again drinking underage.

Subsequently, administrative discharge action was initiated by reason of misconduct due to a pattern of misconduct. You waived your rights to consult counsel, submit a statement or have your case reviewed by higher authority. On 8 September 2005, you received a general discharge by reason of misconduct. At that time you were assigned an RE-4 reentry code.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and desire to change your RE-4 reentry code. Nevertheless, the Board concluded these factors were not sufficient to warrant such a change of your RE-4 reentry code given your two NJP's, one of which you received after you were notified that you were being administratively separated. In this regard, you were assigned the appropriate reentry code based on your circumstances. Accordingly, your application has been denied.

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