



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

TJR
Docket No: 4180-11
13 February 2012

[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 7 February 2012. The names and votes of the members of the panel will be furnished upon request. 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.

Your record reflects that in April 2002 you enlisted in the Air Force and were subsequently separated with an entry level separation by reason of failed medical/physical procurement standards due to a shoulder injury. At that time you were assigned an RE-4C reenlistment code. The record further reflects evidence of surgery for the foregoing injury in September 1996. Nonetheless, you enlisted in the Navy on 10 July 2008 at age 27, began a period of active duty on 17 December 2008, and served without disciplinary incident.

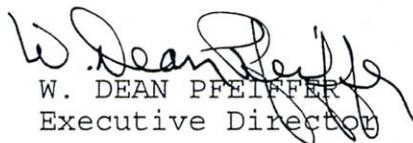
As a result of your complaints of shoulder pain, you were referred for a medical evaluation due to the history of your shoulder injury and surgery. You were recommended for and acknowledged an expeditious administrative separation due to this physical condition that existed prior to your enlistment. You were also advised that you were not recommended for retention and were ineligible for reenlistment due to the shoulder injury and history of repair.

Subsequently, you were administratively processed for separation by reason of convenience of the government due to the diagnosed physical condition that was not a disability. The discharge authority directed your commanding officer to issue an uncharacterized entry level separation and to assign an RE-4 reenlistment code, and on 2 February 2009, you were so separated.

The Board concluded that your nonrecommendation for retention, ineligibility for reenlistment due to the pre-existing shoulder injury, and the assignment of an RE-4 reenlistment code were administratively and procedurally correct. 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