



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

TJR
Docket No: 4774-11
16 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 14 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Navy on 21 June 2001 at age 19, began a period of active duty on 25 July 2001, and served without disciplinary incident.

On 10 September 2007 you were diagnosed as alcohol dependent and began participation in a Level II rehabilitation program. However, less than a month later, on 9 October 2007, you were disenrolled in the program due to your violations of the rules. As a result, you were recommended for an administrative separation.

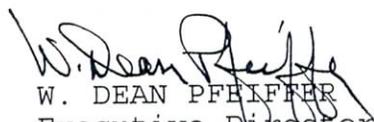
Subsequently, you were notified of pending administrative separation action by reason of alcohol rehabilitation failure. After consulting with legal counsel you elected to present your case to an administrative discharge board (ADB). On 10 December 2007 an ADB recommended an honorable discharge by reason of alcohol rehabilitation failure. Your commanding officer, in

concurrence with the ADB, also recommended an honorable discharge by reason of alcohol rehabilitation failure. On 8 January 2008 the discharge authority approved these recommendations and directed an honorable discharge by reason of convenience of the government due to alcohol rehabilitation failure, and on 24 January 2008, you were so discharged and assigned an RE-4 reenlistment code.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your overall satisfactory record and desire to change your reenlistment code. It also considered your assertion that you were told that the reenlistment code would be automatically upgraded two years after your separation. Nevertheless, the Board concluded these factors were not sufficient to warrant a change of your reenlistment code because of your failure to successfully complete an alcohol abuse rehabilitation program. Further, a Sailor separated by reason of alcohol rehabilitation failure must receive an RE-4 reenlistment code. Finally, no reenlistment code is automatically upgraded and/or changed due solely to the passage of time. 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