



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

BJG
Docket No: 5228-12
26 March 2013



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 26 March 2013. 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 Reserve and entered active duty on 18 August 1994. You were counseled twice for failing the Physical Readiness Test and public intoxication. You also received nonjudicial punishment on two occasions for two periods of unauthorized absence totaling more than three days. Administrative discharge processing was then initiated due to a pattern of misconduct. You waived your procedural rights. On 11 February 1997, you were discharged with a general

characterization of service due to a pattern of misconduct, and 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, remorse, family problems, and current desire to serve in the armed forces. However, the Board concluded that your characterization of service and reentry code should not be changed due to your misconduct, and non-recommendation for reenlistment. The Board believed you were fortunate to have received a general characterization of service, because normally sailors who are administratively separated for misconduct receive other than honorable discharges. 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,



ROBERT D. ZSALMAN
Acting Executive Director