



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

SJN
Docket No: 4022-13
5 June 2014

[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 3 June 2014. 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.

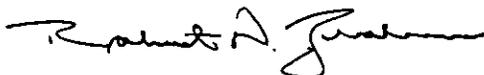
You enlisted in the Navy and began a period of active duty on 19 July 2010. The Board found that your record is incomplete. However, it does reflect that on 26 July 2012, you received nonjudicial punishment (NJP) for conduct prejudicial to good order and discipline. You received a reduction in paygrade. You remained on active duty until you were honorably discharged on 3 August 2012. At that time you were assigned an RE-4 (not recommended for retention) reentry code. Based on your Certificate of Release or Discharge from Active Duty (DD Form 214), you were processed for separation by reason of a condition that did not constitute a physical disability, but which interfered with your ability to perform military duties.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your record of service 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 NJP and diagnosed condition. In this regard, you were assigned the appropriate reentry code based on your circumstances. Accordingly, your application has been denied.

The Board believes that you may be eligible for veterans' benefits that accrued during your period of service. Whether or not you are eligible for benefits is a matter under the cognizance of the Department of Veterans Affairs (DVA). If you have been denied benefits, you should appeal that denial under procedures established by the DVA.

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