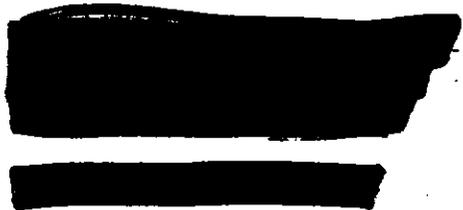




DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

BC
Docket No: 09261-13
31 July 2014



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 30 July 2014. 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.

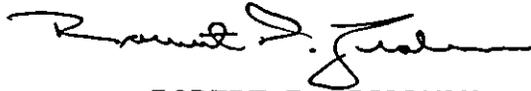
You enlisted in the Navy on 5 June 2001. On 24 July 2006, you were convicted by a summary court-martial (SCM) of assault consummated by a battery and sentenced to reduction in pay grade and 60 days restriction. On 2 November 2011, you were honorably discharged from active duty while serving in pay grade E-5 and assigned a waivable RE-3M (non-retention on active duty) reentry code.

The Board found the RE-3M reentry code is required when an individual is discharged at the expiration of his term of enlistment and is not recommended for retention in his current rate. You were assigned the most favorable reentry code under your circumstances. The only other reentry code which could have been assigned was RE-4 (not recommended for retention). Accordingly, 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,

A handwritten signature in cursive script, appearing to read "Robert D. Zsalmán".

ROBERT D. ZSALMAN
Acting Executive Director