



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

BC
Docket No: 00825-14
25 July 2014

[REDACTED]

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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 23 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 18 July 2005. On 22 December 2005, you received nonjudicial punishment (NJP) for wrongful use of a controlled substance (oxymorphone). You were informed that administrative separation was initiated. On 5 January 2006, your commanding officer directed that you be separated with an under other than honorable characterization of service discharge by reason of misconduct (drug abuse). On 13 January 2006, you were so discharged and assigned an RE-4 (not recommended for retention) reentry code.

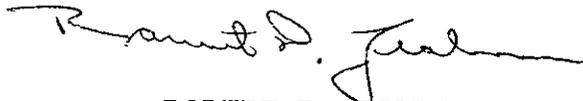
The Board, in its review of your application, carefully weighed all potentially mitigating factors present in your case. It found those factors insufficient to warrant upgrading your reentry code, given your drug abuse. Accordingly, your

application has been denied. The names and votes of the members of the panel will be furnished upon request.

The Board did not consider whether your characterization of service or narrative reason for discharge should be changed due to the fact that your discharge is less than 15 years old, so you must first apply to the Naval Discharge Review Board (NDRB). Enclosed is a DD Form 293 you must use to apply to the NDRB.

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

Enclosure