



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

TJR  
Docket No: 1835-14  
11 March 2015

[REDACTED]

Dear [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.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your application on its merits. A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 3 March 2015. 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 8 December 2000. You served without disciplinary incident until 2 August 2006, when you received nonjudicial punishment (NJP) for being drunk on duty. On 4 August 2006, upon arrival at your first day of alcohol rehabilitation, you were dis-enrolled from the program as a rehabilitation failure because you reported to the session under the influence of alcohol. Shortly thereafter, on 24 August 2006, you received your second NJP for being drunk on duty.

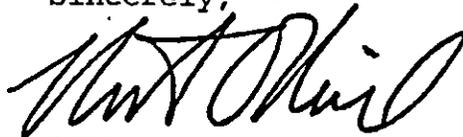
Subsequently, after waiving your procedural rights, your commanding officer recommended separation by reason of misconduct due to commission of a serious offense. On 31 October 2006, you were offered and declined to participate in another alcohol rehabilitation program. Further, your separation evaluation

noted that you had wrongfully use a controlled substance and consumed alcoholic beverages during work hours, and as such, you were not recommended for retention or reenlistment. The discharge authority approved this recommendation and directed separation under honorable conditions with the assignment of an RE-4 reenlistment code, and on 6 November 2006, you were so discharged.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your desire to upgrade your discharge and change your narrative reason for separation and reenlistment code so that you may join the Naval Reserve. Nevertheless, the Board concluded these factors were not sufficient to warrant relief in your case because of the seriousness of your alcohol related misconduct, nonrecommendation for retention or reenlistment, and failure to successfully complete a rehabilitation program. 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 within one year from the date of the Board's decision. 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 J. O'NEILL  
Executive Director