



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

[REDACTED]
Docket No: 6645-16

DEC 07 2017

[REDACTED]
Dear [REDACTED]

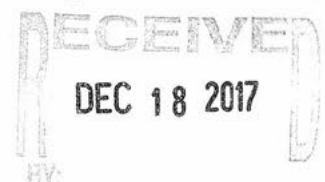
This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

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 25 September 2017. 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, relevant portions of your naval record and applicable statutes, regulations and policies.

Regarding your request for a personal appearance, the Board determined that a personal appearance with or without counsel will not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

You began a period of active duty in the Navy on 28 June 2004, and served honorably until your discharge on 27 June 2011, due to a reduction in force. Your evaluations from 2005 through 2010 reflect your solid and steady performance, with increased responsibility and rank throughout your career. On 11 April 2011, you requested early separation from the Navy. Message traffic dated 19 April 2011 effectuated your request and noted that you were being transferred to the reserves due to reduction in force. You were discharged from the Navy in the grade of first class petty officer on 27 June 2011, with an honorable characterization of service, and a reentry (RE) code of RE-4.

After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material or injustice. The Board considered your request for a change to your RE-4 code to an RE-1. When making its

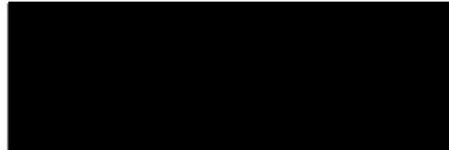


determination, the Board reviewed your available evaluations. The Board noted that at various points during your career, you were ranked as an "Early Promote," a "Must Promote," and a "Promotable" Sailor.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your contention that your evaluations conflict with the RE-4 assigned to you upon discharge. The Board considered MILPERSMAN 1910-102, Separation by Reason of Changes in Service Obligation (Active Duty and Inactive Navy Reservist), and noted that Commander Navy Personnel Command (CNPC) may authorize the separation of enlisted personnel due to a reduction in authorized strength. The Board also reviewed your available service record and noted that your request for discharge was made prior to the end of your service obligation and was made voluntarily. Given the voluntary nature of your request and the force shaping authority of CNPC, the Board found that the issuance of the RE-4 was neither erroneous nor unjust. Accordingly, your application has been denied.

It is regretted that the circumstances of your case are such that favorable action cannot be taken at this time. You are entitled to have the Board reconsider its decision upon the submission of new and material evidence. New evidence is evidence 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,



Executive Director