



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

█  
Docket No. 8679-22  
Ref: Signature Date

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Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

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, sitting in executive session, considered your application on 9 January 2023. 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.

A review of your record shows that you enlisted in the Navy and commenced active duty on 31 October 2000. While in induction training, you were placed in a limited duty status and received physical therapy for five weeks. On 22 January 2001, a military physician determined that you were physically incapable of meeting the physical requirements of military induction training. The physician recommended that you receive an entry-level medical separation for myotendinous insufficiency, existing prior to service.

On 24 January 2001 you were notified that you would be administratively separated from service for defective enlistment and induction due to erroneous enlistment as evidenced by knee arthralgia, chronic and pathological myotendinous insufficiency and that the least favorable characterization of service would be General (under honorable conditions). You signed the notification paperwork waiving your right to counsel and to submit statements to an administrative board or the Separation Authority. You were discharged from the Navy on 30 January 2001 in the grade of E-1 with an Uncharacterized (Entry Level Separation)

characterization of service. The narrative reason for separation was failed medical/physical procurement standards. You received a reentry code of RE-4.

In your petition, you request that the Navy correct your Certificate of Release or Discharge from Active Duty (DD Form 214) to show your grade as E-3 and that you have a medical discharge. You further assert that your DD Form 214 incorrectly shows two reentry codes.

The Board carefully reviewed your petition and the material that you provided in support of your petition and it disagreed with your rationale for relief. In reaching its decision, the Board reviewed your official military personnel file (OMPF) which included your DD Form 214. The Board observed that there is only one reentry code—RE-4—in block 27 of the DD Form 214. In addition, records in your OMPF show that you only obtained the grade of E-1, not E-3. You served a total of 90 days; as a result of serving in the military for less than 180 days, you were given an uncharacterized entry level separation per Naval Military Personnel Manual (MILPERSMAN) 1910. Therefore, the Board determined you were appropriately processed for administrative discharge with an Entry Level Separation and your DD Form 214 is administratively correct.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or 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,

2/6/2023

