



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

█
Docket No. 3856-23
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER █, USN, █

Ref: (a) 10 U.S.C. § 1552
(b) MILPERSMAN

Encl: (1) DD Form 149 with attachments
(2) Case summary

1. Pursuant to the provisions of reference (a), Petitioner, a former enlisted member of the Navy, filed enclosure (1) with this Board requesting a correction to his naval record, specifically, that his reenlistment code be changed from RE-4 to RE-1. Enclosures (1) and (2) apply.

2. The Board, consisting of █, █, and █, reviewed Petitioner's allegations of error and injustice on 22 May 2023 and pursuant to its regulations, determined the corrective action indicated below should be taken. Documentary material considered by the Board consisted of Petitioner's application together with all material submitted in support thereof, relevant portions of Petitioner's naval record, and applicable statutes, regulations, and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. Although enclosure (1) was not filed in a timely manner, it is in the interest of justice to review the application on its merits.

b. Petitioner enlisted in the Navy and began a period of active duty service on 20 July 2001. On 23 May 2005, Petitioner received non-judicial punishment for violating Uniform Code of Military Justice Article 128, for assault. He was awarded reduction in rank to E-2 (suspended 3 months), forfeitures of pay, and 60 days restriction. There is no other evidence of misconduct in his service record.

c. On 19 July 2005, Petitioner was released from active duty and transferred to the Naval Reserve with an Honorable (HON) characterization of service at the end of his required active service. His DD 214 states that he was "subject to active duty recall/annual screening), however,

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USN, [REDACTED]

he was assigned a RE-4 reenlistment code.

d. On 27 June 2009, Petitioner was discharged from the Naval Reserves (Inactive) with an HON characterization at end of his obligation and was recommended for reenlistment.

CONCLUSION

Upon review and consideration of all the evidence of record, the Board concludes Petitioner's request warrants relief. The Board determined there is no evidence in the Petitioner record indicating that he was not recommended for reenlistment after his period of active service. To the contrary, he was transferred to the Naval Reserves, subject to active duty recall, and was ultimately recommended for reenlistment when discharged after his reserve obligation. The Board thus concluded that the RE-4 was issued in error.

RECOMMENDATION

In view of the foregoing, the Board finds an error warranting the following corrective action:

That Petitioner's naval record be corrected to show that he was recommended for reenlistment on the date of his discharge from active duty on 19 July 2005.

Petitioner shall be issued a Correction to DD Form 214, Armed Forces of the United States Report of Transfer or Discharge (DD Form 215) with the following correction:

Block 27: Reentry Code annotating "RE-1."

That no further changes be made to Petitioner's record.

A copy of this report of proceedings be filed in Petitioner's naval record.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above-entitled matter.

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)), and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

6/5/2023

