



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

TRG
Docket No: 3932-01
29 November 2001

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.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 27 November 2001. 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 that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Navy on 4 January 1994 for four years. The enlisted performance record (page 9) shows that you received nonjudicial punishment on 6 January 1995. During the period 1 July 1995 to 15 June 1997 you received three consecutive marginal or adverse performance evaluations. In the evaluation for the period 16 December 1996 to 15 June 1997 you were assigned an adverse mark of 1.0 in the category pertaining to the quality of your work, and marginal marks in two other categories. The evaluation comments state, in part, as follows:

Requires constant supervision before beginning tasks and while performing tasks. Mishandled repair parts resulting in several wasted days that could have been used to repair equipment. - exhibits a lack of commitment to his job to support the ship by not pursuing jobs to completion - teamwork with Repair Parts Petty Officers has improved, however, (he) still needs to continue to concentrate on working with others.

The evaluation indicates that you were not recommended for promotion. Individuals who are not recommended for promotion are

not normally recommended for retention, but inexplicably such a recommendation was made in your case.

There are no further evaluations in the record. You were released from active duty on 6 October 1997 with your service characterized as honorable. At that time you were not recommended for reenlistment and were assigned an RE-4 reenlistment code.

The Board believed that a record of three consecutive marginal and adverse performance evaluations was sufficient to support the assignment of the RE-4 reenlistment code, despite the recommendation for retention contained in the last performance evaluation of record. In this regard, the Board believed that the retention block may have been checked in error. In addition, the Board concludes that if a performance evaluation for the period 15 June 1997 until your release from active duty on 6 October 1997 had been available, it would have been adverse. The Board concluded that the record supported the assignment of an RE-4 reenlistment code and no change is warranted.

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

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,

W. DEAN PFEIFFER
Executive Director