



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

ELP
Docket No. 4708-01
14 December 2001



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.

A three-member panel of the Board for Correction of Navy Records, sitting in executive session, considered your application on 12 December 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.

The Board found that you enlisted in the Navy on 21 July 1994 for four years at age 19. The record reflects that you served without incident until 12 June 1995, when you received nonjudicial punishment (NJP) for failure to go to your appointed place of duty. Thereafter, you served without further incident, extended your enlistment twice for a total of 24 months, and were advanced to CTM3 (E-4) on 21 October 1997.

The record further reflects that on 15 November 1999 you were formally counseled regarding your failure to pay a debt. Incident to your release from active duty, you were not recommended for retention. The Evaluation Report and Counseling Record for the period from 16 June 1999 to 20 July 2000 assigned an adverse mark of 1.0 (below standards) in the category of quality of work and marks of 2.0 (progressing) in the categories of professional knowledge, military bearing/character, and leadership. The reporting senior stated that you lacked maturity

and motivation to be a petty officer, and excessive supervision was necessary to assist you in meeting personal and professional responsibilities. He stated that you were an unreliable Sailor with a history of financial problems which, despite the efforts of many, you had been unable to resolve.

On 20 July 2000 you were honorably released from active duty, transferred to the Naval Reserve, and assigned an RE-4 reenlistment code.

Regulations require the assignment of an RE-4 reenlistment code to individuals who are not recommended for reenlistment. Your contention that you were given an RE-4 reenlistment code because you turned down orders and a school is neither supported by the evidence of record nor by any evidence in support of your application. The Board concluded that an NJP, counseling for failure to pay a debt, and an adverse evaluation report for the last year of service provided sufficient justification for a non-recommendation for retention and assignment of an RE-4 reenlistment code. The Board concluded that the reenlistment code was proper 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