



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

ELP
Docket No. 5073-00
7 June 2001

[REDACTED]

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 for the Board for Correction of Navy Records, sitting in executive session, considered your application on 6 June 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 11 July 1989 for four years at age 20. The record reflects that you served without incident until 25 June 1990 when you received a nonjudicial punishment (NJP). The facts and circumstances surrounding the NJP are unknown since the entry in the record documenting the NJP record is illegible.

You were subsequently advanced to SN (E-3), served without further incident, and were recommended for reenlistment. On 9 June 1993, you were honorably released from active duty, transferred to the Naval Reserve, and assigned an RE-3R reenlistment code. You were honorably discharged on 23 April 1997 upon fulfillment of your military obligation.

Regulations provide that upon separation from active duty, individuals serving in pay grade E-3 who have failed to meet professional growth criteria for reenlistment, but who are

eligible in all other respects and recommended for advancement, shall be assigned an RE-3R reenlistment code. This means the individual is eligible for a probationary reenlistment and may be reenlisted by a Navy recruiting activity for a period of two years with the approval of the Commander, Navy Personnel Command. The Board could find no error or injustice in your assigned reenlistment code since you received the most favorable code authorized by regulations and were treated no differently than others separated under similar circumstances. 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