



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

TRG
Docket No: 5950-01
8 November 2001

[REDACTED]

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 6 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 Naval Reserve on 10 November 1986 and reported for four years of active duty on 24 December 1986. The record shows that you were advanced to AMH3 (E-4) on 16 November 1989. The enlisted performance record (page 9) shows that in the evaluation for the period 16 September 1989 to 30 June 1990, you were assigned marginal marks of 3.2 in the categories of reliability, military bearing and personal behavior. The page 9 also shows that for the period 1 July to 23 December 1990, you were assigned marginal marks of 3.0 in the categories of reliability, military bearing and personal behavior and marks of 3.2 in rate knowledge and directing.

On 23 December 1990 you signed an administrative remarks (page 13) entry acknowledging that you were not recommended for reenlistment and would be assigned an RE-4 reenlistment code because of continued substandard performance, a pattern of misconduct, and a total disregard for authority and Naval Regulations. You were released from active duty on 23 December 1990 with your service characterized as honorable. As indicated you were assigned an RE-4 reenlistment code.

The Board concluded that two consecutive marginal performance evaluations and the comments contained in the page 13 entry were sufficient to support the assignment of the RE-4 reenlistment code. 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