



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

WMP

Docket No: 2024-02
17 May 2002



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 15 May 2002. 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 1 February 2000 for four years at age 24. You served without incident until 19 April 2000 when you received nonjudicial punishment (NJP) for a period of unauthorized absence from 24 March to 4 April 2000. Punishment imposed was forfeiture of \$217, and 14 days restriction and extra duty. The restriction and extra duty was suspended.

On 9 May 2000 you were notified that separation action was being initiated by reason of your failure to adapt to the naval environment. You were advised of and waived all of your procedural rights, with the exception of the right to obtain copies of documents that were being forwarded to the separation authority supporting the basis for the proposed separation. On 10 May 2000 separation was approved and on 17 May 2000 you

received an entry level separation by reason of entry level performance and conduct and assigned an RE-4 reenlistment code.

Regulations require the assignment of an RE-4 reenlistment code to an individual separated by reason of entry level performance and conduct. The Board found evidence to indicate an inability to adapt to the naval environment during recruit training. Even after repeated counseling sessions and an NJP for unauthorized absence, you failed to make the necessary adjustments. The Board concluded that the assigned 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