



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

TRG
Docket No: 4659-03
14 August 2003

[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 12 August 2003. 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 27 July 1982 at age 20 and reported for three years of active duty on 28 August 1982. The record shows that you served without incident for over two years.

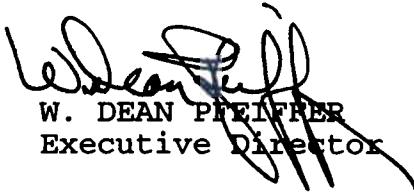
On 14 February 1985 you were convicted by civil authorities in the United Kingdom of three instances of drunk driving and were sentenced to 19 days in jail. You received nonjudicial punishment on 17 April and 24 April 1985 for operating a motor vehicle after being disqualified in the United Kingdom, and dereliction of duty. You were released from active duty on 10 June 1985 with your service characterized as honorable. At that time you were not recommended for reenlistment and were assigned an RE-4 reenlistment code. Subsequently, you received an honorable discharge at the end of your military obligation.

The Board noted that during the period from 14 February 1995 until your release from active duty on 10 June 1985, you had a conviction by civil authorities which resulted in 19 days in jail and two nonjudicial punishments. The Board concluded that this record was 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