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

CRS
Docket No: 6748-09
3 August 2009

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 8 July 2009. 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 Reserve on 6 November 1996 and entered on extended active duty. You were advanced to DT3, E-4, on 16 September 2001. You received nonjudicial punishment on 10 December 2002 for an unspecified offense. On 5 January 2003 you were honorably released from active duty and were assigned a reentry code of RE-4. You completed 6 years and 2 months active service.

Applicable regulations authorize the assignment of an RE-4 reentry code to individuals such as you who are released from active duty at the expiration of their period of obligated service and are not eligible or recommended for reenlistment. Among the likely reasons you were not recommended for reenlistment are your grade and the nonjudicial punishment you received shortly before you were released from active duty. The Board thus concluded that there is no error or injustice in your reentry 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