



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE ROAD, SUITE 1001  
ARLINGTON, VA 22204-2490

REC  
Docket No: 05640-11  
1 March 2012

[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 29 February 2012. 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Navy on 6 June 2009, at age 20. On 15 December 2010, you received nonjudicial punishment (NJP) for failure to obey a lawful order by wrongfully giving alcohol to minors. On 19 January 2011, you were notified that administrative discharge procedures were initiated and that you would receive a general discharge due to misconduct. The discharge authority directed a general discharge. You were so discharged on 19 February 2011. At that time, you were assigned an RE-4 reentry code.


The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth and overall record of service. Nevertheless, the Board concluded these factors were not sufficient to warrant a change in the characterization of service, given your record of one NJP. In this regard, an RE-4 reentry code is required when an individual

has committed misconduct and not recommended for retention. The Board believed you were fortunate to have received a general discharge, since normally, when an individual has committed misconduct, he will be separated and assigned an other than honorable characterization of service. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

Since your discharge is less than 15 years old, you may apply the Naval Discharge Review Board (NDRB) for a possible upgrade. I have enclosed a copy of NDRB's application for your convenience.

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

Enclosure