



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

CRS

Docket No: 2026-13

14 March 2014

[REDACTED]

[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 January 2014. 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 15 July 1992. You received nonjudicial punishment on two occasions for offenses that included being absent from your appointed place of duty and disrespect on four occasions.

On 30 October 1993 your commanding officer recommended that you be separated with a discharge under other than honorable conditions by reason of misconduct due to the commission of a serious offense. After review by the discharge authority, the recommendation for separation was approved and on 1 February 1994 you were separated by reason of misconduct with a discharge

under other than honorable conditions and were assigned a reentry code of RE-4.

On 28 January 1997 the Naval Discharge Review Board upgraded your discharge under other than honorable conditions to a general discharge as a matter of clemency.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as your youth and overall record of service. The Board concluded that those factors were insufficient to warrant recharacterization of your service or changing the reason for your discharge.

The Board found that a reentry code of RE-4 is required by regulatory guidance and is assigned to service member separated by reason of misconduct. 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 correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,



ROBERT D. ZSALMAN
Acting Executive Director