



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

BC
Docket No: 03179-13
1 May 2014



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 30 April 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.

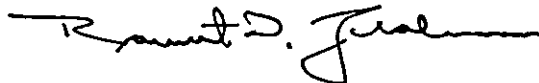
After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You reenlisted in the Navy on 25 June 1977, after serving honorably for four years. In your 4 April 1982 through 25 October 1982 evaluation you were not recommended for advancement or retention due to being returned to the ship as a courtesy after being found drunk and asleep in a bar and a second alcohol related incident which took place in Diego Garcia concerning sexual harassment while intoxicated. On 23 July 1982, you received nonjudicial punishment (NJP) for breach of the peace. On 23 September 1982, you received a letter of substandard service. On 6 October 1982, you received NJP for being in an unauthorized absence (UA) status for three days. On your final evaluation you were not recommended for advancement or retention. On 27 June 1983, you were honorably discharged from active duty while serving in pay grade E-5. You were assigned an RE-4 (not recommended for retention) reenlistment code.

The Board, in its review of your application, carefully weighed all potentially mitigating factors present in your case. Nevertheless, the Board concluded those factors insufficient to warrant a change in the reenlistment code based on your misconduct and non-recommendation for retention in pay grade E-5. In this regard, an RE-4 reenlistment code is required when an individual is discharged at the expiration of his term of enlistment and is not recommended for retention. 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,



ROBERT D. ZSALMAN
Acting Executive Director