



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

BJG  
Docket No: 5170-13  
29 April 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 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. In addition, the Board considered the report of the Naval Discharge Review Board (NDRB), dated 23 June 2012, a copy of which is attached.

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.

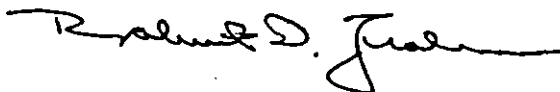
You enlisted in the Navy and entered a period of active duty on 30 May 2012. You received nonjudicial punishment on four occasions for insubordination, assault (three instances), dereliction of duty, and making a false official statement. You were then advised that your command was processing you for administrative separation with an other than honorable (OTH) characterization of service due to misconduct. You exercised your procedural right to have your case heard by an

administrative discharge board (ADB). The ADB met, found you had committed misconduct, and recommended an OTH characterization of service. The separation authority concurred with the finding and recommendation of the ADB. On 29 May 2006, you received the OTH characterization of service due to misconduct, and were assigned an RE-4 (not recommended for retention) reentry code. On 16 May 2012, the NDRB voted to upgrade your characterization of service to general under honorable conditions.

In its review of your application, the Board carefully considered all potentially mitigating factors, such as your youth, post service good conduct, and current desire to serve in the armed forces. The Board concluded, however, that your narrative reason for separation and reentry code should not be changed due to your misconduct. The Board particularly noted that NDRB did not change your narrative reason for separation. Finally, the Board believed you were fortunate to receive a characterization upgrade from the NDRB. 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

Enclosure