



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

BJG
Docket No: 5819-13
2 June 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 28 May 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.

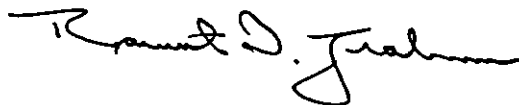
After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You reenlisted in the Navy on 18 October 2000 after more than five years of prior honorable service. You received an adverse performance evaluation on 15 September 2011 which documented your failure of the Physical Fitness Assessment and you were not recommended for promotion. On 30 September 2011, you received an honorable characterization of service at the end of your enlistment, and were assigned an RE-4 (not recommended for reenlistment) reentry code.

In its review of your application, the Board carefully weighed all potentially mitigating factors, such as your youth, prior honorable service, and contention that only the Navy Personnel Command (NPC) can issue a chief petty officer an RE-4 reentry code. However, the Board concluded that you were correctly assigned the RE-4 reentry code in light of your substandard performance and non-recommendation for reenlistment. You are advised that you had to object to your denial of reenlistment to have NPC make the final determination regarding your reentry code. You are further advised that the mere passage of time or post service good conduct do not require the upgrade of a reentry code. Finally, the Board has not authority to award punitive damages. In view of the above, 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