



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

BJG
Docket No: 637-13
9 October 2013



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.

Since your discharge is less than 15 years old, the Board did not consider upgrading your discharge or changing your narrative reason for separation. You may apply to the Naval Discharge Review Board (NDRB) for this relief. I have enclosed a copy of NDRB's application form for your convenience.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 26 September 2013. 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.

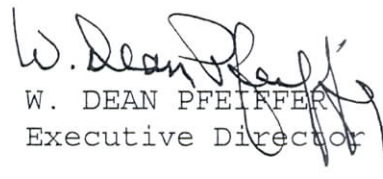
You enlisted in the Navy and entered active duty on 5 January 2000. You received nonjudicial punishment for unauthorized absence (two days), missing ship's movement, and wrongful use of marijuana. You were then advised that your command was

recommending you for administrative separation with an other than honorable (OTH) characterization of service due to misconduct. You waived your procedural right to have your case heard by an administrative discharge board (ADB). On 29 May 2002, you were discharged with an OTH characterization of service due to misconduct, and 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 and current desire to change your reentry code. However, the Board concluded that your reentry code should not be changed due to your misconduct and non-recommendation for reenlistment. The Board found that you waived your right to an ADB, your best opportunity for retention or a better characterization of service. You are advised that the mere passage of time or post service good conduct do not require the upgrade of a reentry code. 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,


W. DEAN PFEIFFER
Executive Director

Enclosure