



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

BC
Docket No: 09446-13
24 July 2014

[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 23 July 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.

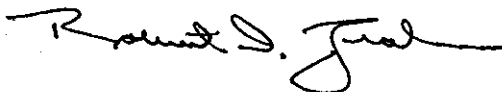
You enlisted in the Navy and began a period of active duty on 22 December 1997. On a periodic evaluation for the period of 16 July 2001 through 15 July 2002, you received one adverse performance trait mark of 1.0 in military bearing/character due to a third failure of the physical fitness assessment. On a detachment evaluation covering the period of 16 July through 10 December 2002, you received a 1.0 trait mark in military bearing/character due to your fourth failure of the physical fitness assessment in a three year period and were not recommended for retention. On 21 December 2002, you were honorably discharged from active duty while serving in pay grade E-3. You were assigned an RE-4 (not recommended for retention) reentry code.

The Board, in its review of your application, carefully weighed all potentially mitigating factors present in your case,

including your contention that you did not have sufficient time to heal from your injury. Nevertheless, the Board concluded those factors were insufficient to warrant a change in the reentry code based on your non-recommendation for retention in pay grade E-3 and the fact that you received performance trait mark of 1.0. In this regard, an RE-4 reentry code is required when an individual is discharged at the expiration of his term of enlistment while serving in pay grade E-3 and is not recommended for retention or promotion. 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