



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

[REDACTED]  
Docket No: 7843-16/  
3236-11  
NOV 29 2017

[REDACTED]  
Dear [REDACTED]

This is in reference to your latest reconsideration request dated 30 August 2016. You previously petitioned the Board and were advised in our letter that your applications had been disapproved. Your case was reconsidered in accordance with Board of Correction of Naval Records procedures that conform to Lipsman v. Secretary of the Army, 33F.Supp.2d 48 (D.D.C 2004).

Because your application was submitted with new evidence not previously considered, the Board reviewed your application. Your current request has been carefully examined by a three-member panel of the Board for Correction of Naval Records (BCNR), sitting in executive session on 10 October 2017. The names and votes of the members of the panel will be furnished upon request. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, the Board determined that the documentation that you provided was insufficient to establish the existence of probable material error or injustice. In this regard, the Board reviewed your contention that you are attempting to join the [REDACTED] National Guard. The Board noted that an RE-4 reenlistment code is authorized when an individual is not recommended for reenlistment by his/her Commanding Officer due to growth criteria. In that regard, the Board noted that the record clearly shows that on 4 November 1989, you were counseled and acknowledged that you were not eligible for reenlistment due to growth criteria which ultimately lead to your separation from the Navy and receiving an RE-4 reenlistment code. The Board found that your discharge was proper and your request to change your RE-4 reenlistment code is not warranted.

It is regretted that the circumstances of your reconsideration petition are such that favorable action cannot be taken again. You are entitled to have the Board reconsider its decision upon the submission of new and material evidence. New evidence is evidence not previously considered by the Board. In the absence of sufficient new and material evidence for reconsideration, the decision of the Board is final, and your only recourse would be to seek relief, at no cost to the Board, from a court of appropriate jurisdiction.

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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,



Executive Director