



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

TRG
Docket No: 7453-98
4 November 1999

[REDACTED]

Dear [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 2 November 1999. 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.

The Board found that you enlisted in the Navy on 9 November 1990 at age 18. The record shows that you then served in a satisfactory manner for several years. On 7 October 1992 you reported aboard the USS GALLERY (FFG 26). The Enlisted Performance Record (Page 9) shows that in the performance evaluation for the period ending 28 February 1993 you were assigned adverse marks in the categories of rate knowledge and reliability. On 19 April 1992 you received nonjudicial punishment (NJP) for dereliction of duty. Although the NJP is not filed in your record, it appears that you were reduced in rate from HN (E-3) to HA (E-2). On 24 June 1993, your corpsman designator was removed. You were released from active duty in pay grade E-2 on 17 December 1993 because of a reduction in force. At that time you were not recommended for reenlistment and were assigned an RE-4 reenlistment code.

The Board noted that there are no evaluation entries on the page 9 after 28 February 1993, however, it does show that after that date your designator was removed and you remained an SA until your release from active duty.

The Board concluded that the adverse performance evaluation and the NJP in the last year of your service were sufficient to support the assignment of the RE-4 reenlistment code. In addition, the regulations required the assignment of an RE-4 reenlistment code to individuals serving in pay grade E-2 who are released from an extended period of active duty. 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,

W. DEAN PFEIFFER
Executive Director