



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

SMC  
Docket No: 02831-01  
21 June 2001

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: SGT [REDACTED], USMC, [REDACTED]  
REVIEW OF NAVAL RECORD

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 dtd 5Mar01 w/attachment  
(2) MCRC memo 1610 G-1 dtd 5Jun01  
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected by removing all documentation of his relief for cause from recruiting duty, or his relief for good of the service from such duty.
2. The Board, consisting of Mses. Davies and Schnittman and Mr. Schultz, reviewed Petitioner's allegations of error and injustice on 21 June 2001, and pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.
3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:
  - a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.
  - b. In correspondence attached as enclosure (2), the office having cognizance over the subject matter addressed in Petitioner's application has commented to the effect that the request has merit and warrants favorable action.

CONCLUSION:

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action.

RECOMMENDATION:

a. That Petitioner's naval record be corrected by removing all documentation relating to his relief for cause from recruiting duty, or his relief for good of the service from such duty (S fiche, third row, eighth frame through seventh row, eighth frame).

b. That any material or entries inconsistent with or relating to the Board's recommendation be corrected, removed or completely expunged from Petitioner's record and that no such entries or material be added to the record in the future.

c. That any material directed to be removed from Petitioner's naval record be returned to the Board, together with a copy of this Report of Proceedings, for retention in a confidential file maintained for such purpose, with no cross reference being made a part of Petitioner's naval record.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

*Jonathan S. Ruskin*

JONATHAN S. RUSKIN  
Acting Recorder

ROBERT D. ZSALMAN  
Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

*W. Dean Pfeiffer*  
W. DEAN PFIEFFER  
Executive Director



UNITED STATES MARINE CORPS  
MARINE CORPS RECRUITING COMMAND  
3280 RUSSELL ROAD  
QUANTICO, VA 22134-5103

IN REPLY REFER TO

1610  
G-1  
5 Jun 01

MEMORANDUM for the Executive Director, Board for Correction of Naval  
Records

Subj: ADVISORY OPINION IN THE CASE OF SERGEANT [REDACTED]  
[REDACTED] USMC

Ref: (a) BCNR Docket #2831-01  
(b) Guidebook for RS operations Volume III

1. In response to reference (a), I have reviewed Sergeant [REDACTED] Petition. In light of the fact that the CD fitness report for the period 990401 to 990528 has been removed from Sergeant [REDACTED] Naval record and, based on my review, I recommend that the subject Relief for Cause package be removed from Sergeant [REDACTED] OMPF.

[REDACTED]

G. R. [REDACTED]  
Chief of Staff