



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

CRS
Docket No: 6836-00
8 August 2001



Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, 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 24 July 2001. 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 Marine Corps on 5 December 1988 at age 17. On 4 November 1992 the commanding officer turned down your request for reenlistment due to excessive page 11 entries for lack of motivation, judgment, maturity, endurance, knowledge, and fighting with junior Marines. On 5 December 1992 you were honorably separated and transferred to the Marine Corps Reserve in the rank of LCPL (E-3). At that time you were assigned a reenlistment code of RE-4. You were honorably discharged from the Marine Corps Reserve on 15 December 1995.

An advisory opinion from the Promotion Branch, Headquarters Marine Corps, a copy of which is attached, stated that you did not have the minimum cutting score to be promoted to corporal.

The Board concluded that the numerous page 11 entries and substandard performance were sufficient to support the assignment of an RE-4 reenlistment code. It means that you may not reenlist in the Marine Corps without prior approval of the Commandant of

the Marine Corps. The Board also concurred with the advisory opinion. The Board thus concluded that there is no error or injustice in your rank of LCPL or in the RE-4 reenlistment code. 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

Enclosure



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
3280 RUSSELL ROAD
QUANTICO, VIRGINIA 22134-5103

IN REPLY REFER TO:

1400/3
MMPR-2
5 Jun 2001

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Subj: ADVISORY OPINION IN THE CASE OF [REDACTED]
[REDACTED] FORMER MARINE

1. Mr. [REDACTED] requests his service record be corrected to show that he was promoted to corporal 1 November 1992, prior to his release from active duty on 5 December 1992.
2. Research of [REDACTED] service record indicates that he had a composite score of 1609 for the November, December 1992 and January 1993 promotion quarter. The required cutting score for 1 November 1992 in his PMOS of 0311 was 1633. Recommend that his request for promotion to corporal for 1 November 1992 be disapproved as he did not have the required minimum cutting score.

[REDACTED]

Acting Head, Enlisted Promotions
Promotion Branch
By direction of
the Commandant of the Marine Corps