



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

FC
Docket No: 01861-03
21 August 2003

[REDACTED]

[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 13 August 2003. 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. In addition, the Board considered the prior letter to you from Headquarters, Marine Corps (HQMC) dated 9 July 1992, a copy of which is enclosed.

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. In this connection, the Board substantially concurred with the comments contained in the HQMC letter. 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
WASHINGTON, D.C. 20380-0001

Official File Copy

IN REPLY REFER TO:

REGISTRY # N0009917437

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MM-5\RE
9 Jul 92




This is in reply to your inquiry of January 15, 1992 regarding your reenlistment code.

A service record review has been conducted and it has been determined that the reenlistment code of RE-3C you were assigned was correct. The reenlistment code you received was assigned based on your overall record of performance while on active duty and represents the commanding officer's evaluation of your qualifications for reenlistment at the time of separation. Your record indicates that you were counseled regarding leadership, poor attitude and judgment. The disciplinary portion of your record indicates that you were punished under the Uniform Code for Military Justice for dereliction of duty for which you were convicted by a summary court-martial. Once a code is correctly assigned it is not routinely changed or upgraded as a result of events that occur after separation or based merely on the passage of time.

If you are not satisfied with the determination made concerning the assignment of your reenlistment code, you have the right to petition the Board for Correction of Naval Records to conduct an additional review. This may be done by submitting the enclosed Application for Correction of Military or Naval Record (DD Form 149) to the Chairman, Board for Correction of Naval Records, Department of the Navy, Washington, DC 20370-5100. It is necessary that a copy of this letter be attached to your application.

I regret that a more favorable response is not possible; however, I hope this answers your inquiry.

Sincerely,


Head, Performance Evaluation
Review Branch
Personnel Management Division
By direction of the Commandant
of the Marine Corps

Encl:
(1) DD Form 149