



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

CRS
Docket No: 11325-07
25 November 2008

[REDACTED]

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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 November 2008. 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.

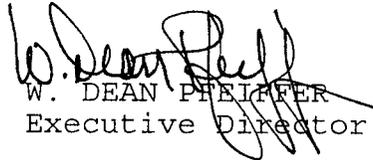
The Board found that you enlisted in the Marine Corps on 23 January 1997. On 1 October 1999 a medical evaluation board diagnosed you with right ankle pain and directed limited duty for six months. You were returned to full duty on 16 June 2000. You were released from active duty and transferred to the Marine Corps Reserve on 22 January 2001. Your service was characterized as "under honorable conditions", and you were assigned a reentry code of RE-4, which indicates that you were not eligible or recommended for reenlistment. Although your record is incomplete, it appears that you were the subject of disciplinary action during November 2000, as you were released from active duty as a private with a date of rank 13 November 2000. You were issued an honorable discharge certificate on 16 January 2005, upon the expiration of your statutory service obligation.

The Board concluded that your receipt of an honorable discharge certificate on 16 January 2005 is insufficient to warrant recharacterizing your active duty service as fully honorable. 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