



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

SJN  
Docket No: 00716-08  
20 November 2008

[REDACTED]

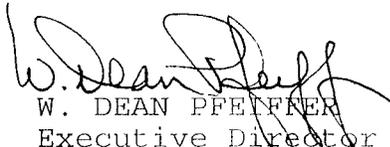
This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 19 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. In addition, the Board considered the advisory opinion furnished by Headquarters Marine Corps, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this regard, the Board substantially concurred with the comments contained in the advisory opinion. 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, VA 22134-5103

IN REPLY REFER TO:  
1040  
MMER/RE  
29 Jul 08

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

Subj: BCNR APPLICATION IN THE CASE OF FORMER [REDACTED]  
SUBJ: RE-CODE

Encl: (1) NavMC 118 (11)  
(2) Administrative Separation package, 1900/Legal of 27 Jun 06  
(3) DD Form 214  
(4) [REDACTED] DD Form 149 of 4 January 2008

1. [REDACTED] service record has been reviewed and it has been determined that at the time of separation he was assigned a reenlistment code of RE-4, which means that he is not recommended for reenlistment. The reenlistment code was correctly assigned based on [REDACTED] fraudulent entry. At the time of his enlistment he failed to disclose a significant and lengthy history of medical treatment for both major depression and attention deficit hyperactivity disorder (ADHD) condition.

2. [REDACTED] received an uncharacterized discharge from the U.S. Marine Corps on 30 June 2006. A review of [REDACTED] records indicates that he was counseled concerning his medical conditions, specifically depression and ADHD. There is no recorded disciplinary action in [REDACTED] records.

3. After a review of all relevant information, this Headquarters concurs in the professional evaluation of [REDACTED] qualifications for reenlistment at the time of separation. Once a code is correctly assigned it is not routinely changed or upgraded as a result of events that occur after separation or based on merely on the passage of time.

4 Enclosure (4) is returned for final action.

Frances S. Poletto  
Head, Performance Evaluation  
Review Branch  
Manpower Management Division  
By the direction of the Commandant  
Of the Marine Corps