



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

SMS
Docket No: 6578-08
5 March 2009

[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 4 March 2009. 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

On 26 June 2006, you enlisted in the Marine Corps at age 19. You were subsequently diagnosed as having a personality disorder. On 12 June 2007, your commanding officer initiated administrative separation by reason of convenience of the government due to a diagnosed personality disorder. In connection with this processing, you acknowledged the separation action. Your commanding officer's endorsement referenced your contention regarding the Revolutionary Armed Forces of Columbia (FARC) and also stated that you had been hospitalized for suicidal ideation. On 19 July 2007, the separation authority approved the recommendation and directed a general discharge by reason of convenience of the government due to a diagnosed personality disorder and assignment of an RE-4 reenlistment code. On 27 July 2007, you were so discharged. At that time your proficiency and conduct mark averages were both 4.5. On 6 August 2008, Headquarters Marine

Corps changed your reenlistment code to RE-3P vice the RE-4 that was actually assigned on 27 July 2007.

The Board agreed with Headquarters Marine Corps' change to your reenlistment code and found that regulations authorize assignment of an RE-3P reenlistment code to members who are discharged and fail to meet a physical or medical standard. Since you have been treated no differently than others in your situation, the Board could not find an error or injustice in the assignment of the RE-3P reenlistment code. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

The Board considered the evidence that you submitted and your factual statement, but found that you have not exhausted your administrative remedy regarding whether your characterization of service or reason for separation should be changed. You may submit the attached Application for the Review of Discharge or Dismissal from the Armed Forces of the United States (DD Form 293) to the Naval Discharge Review Board, for consideration of an upgrade of your discharge as well as the reason for separation.

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