



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

JRE  
Docket No. 07025-08  
18 August 2008

[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 14 August 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.

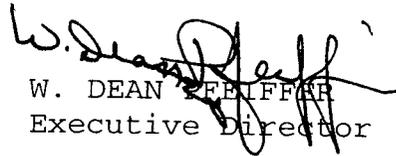
The Board found that you served on active duty in the Marine Corps from 16 December 2002 to 22 May 2003, when you were discharged by reason of a condition, not a disability, which interfered with your performance of duty. You were assigned a reentry code of RE-3G, which is waivable. It is the most favorable code authorized for Marines discharged by reason of a condition, not a disability, as you were. The only other authorized code is RE-4, which generally precludes reenlistment.

Your contention that you no longer suffer from back pain does not provide a basis for changing a reentry code which was proper when assigned. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

If you still want to reenlist, you should visit your local recruiting station and inquire about initiating a request for a waiver of your disqualification from reenlistment.

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 PENIFFAR  
Executive Director