



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

BJG
Docket No: 10901-09
15 July 2010



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 July 2010. 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.

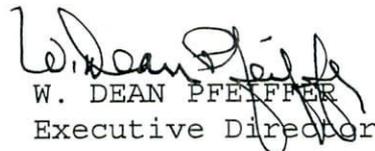
After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. The Board found that you entered active duty in the Marine Corps on 15 October 1991. You reenlisted for two years on 29 August 2007. On 30 June 2009, you received an adverse fitness report documenting an incident of domestic violence. On 13 July 2009, you were counseled regarding willfully disobeying a lawful order from a commissioned officer not go to your base quarters. On 28 September 2009, you received an honorable discharge and were assigned an RE-3C

reenlistment code (Commandant of the Marine authority required for reenlistment).

In its review of your application, the Board carefully weighed all potentially mitigating factors, such as your many years of honorable service, character reference letters, and desire to reenlist or be eligible for retirement. However, the Board concluded that you should not be allowed to reenlist or retire because of your domestic violence issues. In view of the above, 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