



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

CRS
Docket No: 12049-09
22 February 2010

[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 13 January 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 enlisted in the Marine Corps on 3 February 1979. On 23 May 1980 you received nonjudicial punishment for an unauthorized absence and disrespect. On 18 July 1980 you were discharged under honorable conditions in accordance with the provisions of the Expeditious Discharge Program and assigned a reenlistment code of RE-3C.

The Board found that you did not qualify for an honorable discharge or a change in the reason for discharge because your conduct mark average was below 4.0. The Board did not accept your unsubstantiated contention to the effect that the drinking water in Camp Lejeune, North Carolina, was poisonous and caused your misconduct.

An RE-3C reenlistment code is the most favorable code authorized by regulatory guidance for individuals discharged under the Expeditious Discharge Program. The Board thus concluded that there is no error or injustice in your reenlistment code. 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,



ROBERT D. ZSALMAN
Acting Executive Director