



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

Docket No. 00774-10  
9 November 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 4 November 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. In this regard, the Board noted that you were discharged by reason of fraudulent entry on 29 October 2009 due to your failure to disclose a history of a disqualifying medical condition. You completed 24 days of service, and were assigned a reentry code of RE-8, which is the most favorable code that may be assigned to a Marine being discharged for fraudulent entry.

In view of the foregoing, and as you have not demonstrated that you are entitled to a reentry code other than RE-8, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

The Board did not consider your request for a characterized separation and correction of the reason and authority for your discharge because you have not exhausted an available administrative

remedy by submitting an application to the Naval Discharge Review Board.

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