



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

BJG
Docket No: 1685-10
20 October 2010

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: EX [REDACTED]
REVIEW OF NAVAL RECORD

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 dtd 2 Feb 10 w/attchs
(2) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed written application, enclosure (1), with this Board requesting, in effect, that his naval record be corrected by changing the characterization of his general discharge assigned on 17 February 1988 be upgraded to a fully honorable discharge.
2. The Board, consisting of Messrs. [REDACTED] and [REDACTED] and Ms. [REDACTED] and Spain, reviewed allegations of error and injustice on 19 October 2010, and pursuant to its regulations, determined that relief should be granted. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.
3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:
 - a. Before applying to this Board, Petitioner exhausted all administrative remedies which were available under existing law and regulations within the Department of the Navy.
 - b. Petitioner entered active duty in the Marine Corps on 27 August 1984. He was not the subject of any disciplinary action during his term of service. On 5 March 1987, he was assigned to weight control. On 28 July 1987, he was counseled and warned that if he did not conform to weight standards he could be administratively separated. On 17 February 1988, he received a general characterization of service for unsatisfactory performance (failure to conform to weight

standards), and was assigned an RE-3P (failure to meet physical standards) reenlistment code.

c. Characterization of service is based in part on proficiency and conduct marks assigned on a periodic basis. Petitioner's proficiency and conduct mark average was 4.5/4.6, respectively. A 3.0/4.0 average was required for a fully honorable discharge.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board finds the existence of an error and injustice warranting upgrading Petitioner's general discharge to an honorable characterization of service. The Board particularly notes that he had no disciplinary action and his proficiency and conduct mark average was sufficiently high to warrant an honorable discharge. In view of the above, the Board directs the following corrective action.

RECOMMENDATION:

a. That Petitioner's naval record be corrected to show that on 17 February 1988, he was issued an honorable discharge, vice the general characterization of service on the same date.

b. That any material or entries inconsistent with or relating to the Board's recommendation be corrected, removed or completely expunged from Petitioner's record and that no such entries or material be added to the record in the future.

c. That any material directed to be removed from Petitioner's naval record be returned to the Board, together with a copy of this Report of Proceedings, for retention in a confidential file maintained for such purpose, with no cross reference being made a part of Petitioner's naval record.

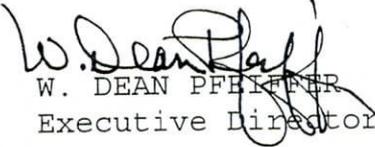
d. That the Department of Veterans Affairs be informed that he applied to this Board on 6 February 2010.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder


BRIAN J. GEORGE
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.


W. DEAN PFEIFFER
Executive Director