



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE ROAD, SUITE 1001  
ARLINGTON, VA 22204-2490

SJN

Docket No: 7945-14  
10 July 2015

5 U.S.C. 552(b) (6)

Dear 5 U.S.C. 552(b)

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10, 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 6 July 2015. The names and votes of the members of the panel will be furnished upon request. 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Marine Corps and began a period of active duty on 30 April 2003. Your record is incomplete, in that it does not contained all of documentation pertaining to the reason for your release from active duty. However, on 31 August 2007, you signed an Administrative Remarks (Page 11), acknowledging that you were being assigned an RE-4 (not recommended for reenlistment) reentry code due to a special court-martial (SPCM) conviction. You were so released from active duty the same day, at the completion of your required service. At that time you were assigned an RE-4 reentry code. Regulations require the assignment of an RE-4 reentry code to Marines who are released from active duty, and not recommended for reenlistment. It appears you were informed of reason for which you were assigned an RE-4 reentry code. The Board thus concluded that there is no error or injustice in your reentry code. Accordingly, your application has been denied.

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 within one year from the date of the Board's decision. New evidence is evidence not previously considered by the Board prior to making its decision in your case. 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,

5 U.S.C. 552(b) (6)

ROBERT J. O'NEILL  
Executive Director