



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

BC
Docket No: 00250-14
10 March 2014

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

Subj: REVIEW OF NAVAL OF RECORD OF FORMER LANCE CORPORAL, USMC,
[REDACTED]

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

Encl: (1) DD Form 149 with attachments
(2) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner, a former enlisted member of the Marine Corps, filed enclosure (1) with this Board requesting, in effect, that his RE-4B reentry code, issued on 30 August 2003, be changed and that he be promoted to corporal.

2. The Board, consisting of Mr. Zsalman, and Mr. Lippolis, and Mr. Ivins, reviewed Petitioner's allegations of error and injustice on 5 March 2014, and, pursuant to its regulations, determined that the partial corrective action indicated below should be taken on the available evidence of record. 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. Petitioner entered the Marine Corps on 31 August 1999. On 5 April 2000, he received nonjudicial punishment (NJP) for disobeying a lawful order by purchasing a vehicle and driving it while in a student status. On 28 October 2000, he received NJP for being disrespectful to a non-commissioned officer, being in an unauthorized absence (UA) status for two hours and failing to properly secure his weapon. On 25 January 2001, he received NJP for being UA for 20 minutes. On 30 August 2003, he was separated with an honorable characterization of service and

assigned an RE-4B reentry code. However, there is no documentation in his record reflecting any civil or military illegal drug involvement.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request warrants partial favorable action.

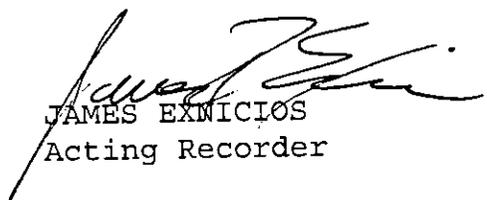
The Board concludes that based upon his overall record, that relief in the form of changing his RE-4B to an RE-4 is warranted. The Board did not consider his request for administrative correction of his DD Form 214 because he failed to exhaust an available administrative remedy by requesting that relief from the Commandant of the Marine Corps.

RECOMMENDATION:

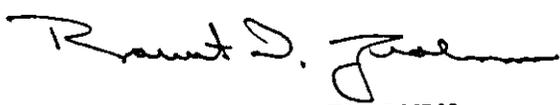
a. That Petitioner's naval record be corrected to show that he received an RE-4 vice an RE-4B reentry code on 30 August 2003.

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


JAMES EXNICIOS
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 Regulation, 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.


ROBERT D. ZSALMAN
Acting Executive Director