



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

BC
Docket No: 00298-14
12 March 2014



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 12 March 2014. 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.

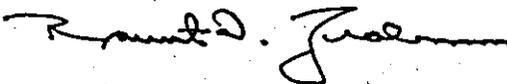
You enlisted in the Marine Corps and began a period of active duty on 10 June 2002. On 26 January 2007, you received nonjudicial punishment (NJP) for wrongful use of marijuana. On 26 February 2008, you received counseling and acknowledged that you were not recommended for promotion for 18 months due to drug use. On 28 September 2009, you received counseling and acknowledged that you were not recommended for retention and would receive an RE-4B (in-service drug use) reentry code upon your separation. You were separated on 17 October 2009, with an honorable characterization of service and assigned an RE-4B, as required by governing directives.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors present in your case, such as your many years of honorable service.

However, the Board found those factors insufficient to warrant any change in your reentry code, given your record of wrongful drug use. The Board also noted that you were fortunate to receive an honorable discharge since a separation under other than honorable conditions is often directed when an individual is found to have committed misconduct. 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