



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

BJG

Docket NO: 11884 14

10 December 2014

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

Subj: [REDACTED]  
REVIEW OF NAVAL RECORD

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

Encl: (1) DD Form 149 dtd 14 Jan 14 w/attachments  
(2) Subject's service record (CD rom)

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, to change his reentry code of RE-4 (not recommended for retention), which was issued on 8 January 2014.

2. The Board, consisting of Messrs. Hedrick and Lippolis and Ms. Wilcher, reviewed allegations of error and injustice on 9 December 2014, 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 enlisted in the Marine Corps and entered a period of active duty on 8 July 2013. He was not the subject of any disciplinary action. He was diagnosed with Scheuermann's kyphosis (chronic lower back pain). He was then processed for administrative separation due to a condition, not a disability. On 8 January 2014, he was discharged from active duty with an uncharacterized entry level separation due to a condition, not a

disability (Scheuermann's kyphosis), and assigned an RE-4 reentry code.

c. On 13 May 2014, a former Army orthopedic surgeon diagnosed Petitioner as being fit to perform active duty service and his Scheuermann's kyphosis to be asymptomatic.

d. Petitioner could have been assigned a waivable RE-3G (condition, not a disability) reentry code.

CONCLUSION:

Upon review and consideration of all the evidence of record, and particularly in light of the Army orthopedic surgeon's diagnosis, the Board finds the existence of an injustice warranting a change of Petitioner's reentry code. The Board believes an RE-4 reentry code is no longer appropriate in this case due to his current diagnosis and exemplary service record. The Board believes the RE-3G reentry code is now the appropriate code. 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 8 January 2014, he was issued an RE-3G reentry code vice the RE-4 now of record.

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.

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.



TJ REED  
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.

A handwritten signature in black ink, appearing to read 'Robert J. O'Neill', written in a cursive style.

ROBERT J. O'NEILL  
Executive Director