



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

EGA  
Docket No: 1668-14  
23 March 2015

[REDACTED]

Dear [REDACTED]

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 23 February 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 22 October 2012. Shortly after arriving for recruit training, you reported to medical for treatment of ankle pain for an injury that occurred prior to reporting for active duty. At that time, you were diagnosed with a grade 3 ankle sprain, dropped to medical rehabilitation platoon, and directed to report to sports medicine. You also reported feelings of depression and that you had depression in the past. On 26 October 2012, you were evaluated at the mental health unit and reported feeling depressed, suicidal thoughts, and a history of suicidal thoughts with depression. A review of your medical prescreening documents revealed no record of you reporting the ankle injury or the history of suicidal thoughts with

depression, and you were recommended for separation due to fraudulent entry into military service through deliberate omission or concealment of a condition that existed prior to entry into service. On 8 November 2012, you were discharged with an uncharacterized entry level separation by reason of fraudulent entry into military service, and assigned an RE-3P reentry code. Since you were diagnosed with a grade 3 ankle sprain, you were assigned the most appropriate reenlistment code based on your circumstances.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your desire to change your narrative reason for separation, upgrade your reentry code, and the notarized affidavit you submitted. Nevertheless, the Board concluded these factors were not sufficient to warrant relief in your case because your ankle injury existed prior to reporting for recruit training and you failed to report this condition during the medical prescreening. Finally, Marines discharged by reason of fraudulent entry due to an undisclosed physical disability would normally be assigned reenlistment code RE-3P. Again, you were assigned the most appropriate reenlistment code for your situation. 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 or other matter not previously considered by the Board within one year from the date of the Board's decision. 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,

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

ROBERT J. O'NEILL  
Executive Director