



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

BC
Docket No: 01900-14
14 August 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 13 August 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.

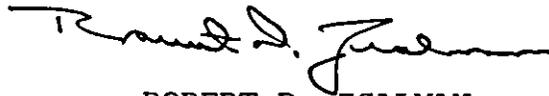
You enlisted in the Marine Corps and began a period of active duty on 7 April 2008. On 13 November 2009, you received nonjudicial punishment (NJP) for insubordinate conduct. On 19 February 2010, you were convicted by a summary court-martial (SCM) of wrongfully going out of bounds, failure to obey an order by wrongfully consuming alcohol and drunken or reckless operation of a vehicle. You were sentenced to a forfeiture of \$482, reduction in pay grade and 20 days confinement. Thereafter, you were notified that administrative discharge procedures had been initiated and that you would receive an under other than honorable discharge due to misconduct. You were so discharged on 17 June 2010 and assigned an RE-4 (not recommended for retention) reentry code.

On 13 June 2013, you petitioned this Board to upgrade your characterization of service to general, which it granted.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your overall record of service. However, the Board found those factors insufficient to warrant any change in your RE-4 reentry code, given your record of 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