



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

TJR  
Docket No: 248-14  
7 November 2014

[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 29 October 2014. 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.

On 13 September 2004 you enlisted in the Marine Corps and began a period of active duty. However, about four months later, on 4 January 2005, you began a period of unauthorized absence (UA) and were declared a deserter. Nevertheless, you submitted a written request for an other than honorable discharge in order to avoid trial by court-martial for this period of UA totalling 275 days. Subsequently, your request was granted and on 13 December 2005, you were issued an other than honorable discharge for the good of the service, and assigned an RE-4 reenlistment code because you were not recommended for retention or reenlistment.

On 9 February 2012, the Naval Discharge Review Board upgraded your characterization of service to "general, under honorable conditions." However, your narrative reason for separation remained as for the good of the service in lieu of trial by court-martial.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your desire to change your reenlistment code. Nevertheless, the Board concluded these factors were not sufficient to warrant relief in your case because of your lengthy period of UA from the Marine Corps and your nonrecommendation for retention or reenlistment. 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 "R. J. O'Neill", written in a cursive style.

ROBERT J. O'NEILL  
Executive Director