



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

ES
Docket No: 5994-14
29 July 2015

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

Subj: REVIEW NAVAL RECORD OF _____, USMC,
XXX-XX-

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

Encl: (1) DD Form 149 with attachments
(2) Case summary
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner, a former enlisted member of the Marine Corps, filed enclosure (1) with this Board requesting, in effect, the assignment of an reenlistment code. Enclosures (1) through (3) apply.

2. The Board, consisting of _____, reviewed Petitioner's allegations of error and injustice on 24 June 2015, and pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. 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 available under existing law and regulations within the Department of the Navy.

b. Although, enclosure (1) was not filed in a timely manner, it is in the interest of justice to waive the statute of limitations and review the application on its merits.

c. Petitioner enlisted in the Marine Corps and began a period of active duty on 9 July 1997. On 25 January 2003, while serving in paygrade E-5, he was honorably discharged by reason of "disability, severance pay".

d. Petitioner's record does not contain the documentation to support his narrative reason for separation nor does it reference a recommendation or nonrecommendation for reenlistment. In this regard, at the time of his discharged Petitioner was not assigned an reenlistment code. As a result of the foregoing, Block 27 of Petitioner's Certificate of Release or Discharge from Active Duty (DD Form 214) reflects an entry of "N/A" which does not coincide with his narrative reason for separation.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request warrants relief.

The Board concludes that, even though Petitioner's record is incomplete, the fact that he served without disciplinary incident and was honorably discharged due to his failure to meet physical/medical standards (disability), that the record should be corrected to reflect an appropriate reenlistment code to coincide with his narrative reason for separation. In this regard, the Board directs the assignment of an "RE-3P" reenlistment 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 25 January 2003, he was assigned an "RE-3P" reenlistment code.

b. That a copy of this report of proceedings be filed in Petitioner's naval record.

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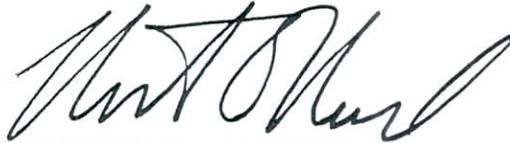
c. That, upon request, the Department of Veterans Affairs be informed that Petitioner's application was received by the Board on 17 April 2014.

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.



T. J. 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 Regulation, 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.



ROBERT J. O'NEILL
Executive Director