



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

[REDACTED]
Docket No: 7304-16

SEP 12 2017

[REDACTED]
Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the 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 5 June 2017. 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.

You began a period of active duty in the Marine Corps on 24 March 2003. Approximately six years into your service, on 5 June 2009, you received nonjudicial punishment (NJP) after you were arrested for operating a personal vehicle with a blood alcohol content of .14. On 8 April 2014, you received a second NJP for controlling a vehicle with a blood alcohol content of .116. On 10 April 2014, you received counseling for the April 2014 NJP, and were further counseled that you were recommended but not eligible for promotion to sergeant because of the NJP. On 19 August 2014, you were counseled that you were being assigned an RE-3C reenlistment code because of your driving under the influence incident. You were released from active duty and discharged on 1 October 2014, with an honorable characterization of service and a reentry (RE) code of RE-3C.

The Board considered your request for a change to your RE-3C code so that you can seek enlistment in the Marine Corps Reserves and continue serving the military until your retirement. When making its determination the Board noted that you ask that all of your years of service prior to the incident be taken into consideration and reviewed the information you submitted in support of your application.

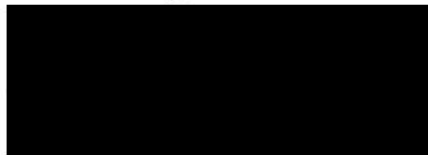
After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material or injustice. The Board

carefully weighed all potentially mitigating factors, such as your years of service prior to your first NJP as well as your average marks in enlistment of 4.5/4.5. The Board also reviewed MARCORPSEPMAN which states that an RE-3C is assigned when directed by CMC or when the Marine is not eligible for reenlistment and the disqualifying factor is not covered by any other code. The Board also noted that the RE-3C is a waivable code that requires CMC authority for reenlistment. The Board found that your service record contained a proper entry and acknowledgment of the issuance of the RE-3C and that based on your alcohol incidents, the code was warranted. The Board found no error or injustice in your record, and determined that the RE-3C shall remain. Accordingly, your application has been denied.

The RE-3C reenlistment code may not prohibit reenlistment, but requires that a waiver be obtained. Recruiting personnel are responsible for determining whether you meet the standards for reenlistment and whether or not a request for a waiver of your reenlistment code is feasible.

It is regretted that the circumstances of your case are such that favorable action cannot be taken at this time. You are entitled to have the Board reconsider its decision upon the submission of new and material evidence. New evidence is evidence 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,



Executive Director