



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

[REDACTED]
Docket No: 7834-16
NOV 29 2017

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

Subj: REVIEW NAVAL RECORD OF [REDACTED] USN,
[REDACTED]

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 Navy, filed enclosure (1) with this Board requesting that his RE-4 reenlistment code, issued on 13 October 2009, be changed. Enclosures (1) through (3) apply.

2. The Board consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 10 October 2017, 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 your application, together with all material submitted in support thereof, relevant portions of your Naval record 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 service record supported Petitioner's claim that while at the Military Entrance Processing Station (MEPS), he notified the medical doctor of his pre-medical history about his right shoulder injury. While at recruit training the petitioner sought medical attention for pain in his right shoulder. A qualified medical officer determined that the pain was related to his pre-service injury and his condition could not be corrected to meet Navy standards. As a result of the forgoing, on 13 October 2009, Petitioner was discharged with an uncharacterized

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characterized of service due to failed medical/physical standards and received an RE-4 reenlistment code. On 26 April 2012, NDRB determined that characterization of service and narrative reason for separation shall remain.

CONCLUSION:

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

The Board notes Petitioner's narrative reason for separation "Erroneous Entry," does not warrant an RE-4 reenlistment code which would not allow Petitioner the ability to correct his condition and reenter the military. As such, the Board concluded that the evidence of record clearly does not support the assignment of an RE-4 reenlistment code and that the record should be corrected to appropriately reflect an RE-3E reenlistment code.

In view of the foregoing, the Board finds the existence of an injustice warranting the following corrective action:

RECOMMENDATION:

a. That Petitioner's Naval record be corrected to reflect that on 13 October 2009, he was assigned an RE-3E reenlistment code.

b. That Petitioner be issued a Correction to DD Form 214, Certificate of Release or Discharge from Active Duty (DD Form 215).

c. That a copy of this Report of Proceedings be filed in Petitioner's Naval record.

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.

[REDACTED]
S/Recorder

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[REDACTED]

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.

[REDACTED]
Executive Director