



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

█
Docket No. 4250-21
Ref: Signature Date

█
█
█

Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your application on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 18 November 2021. 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, relevant portions of your naval record and applicable statutes, regulations and policies.

The Board carefully considered your request to remove the Administrative Remarks (Page 11) entry dated 6 June 2016 informing you of your assignment of a RE-3O reenlistment eligibility code due to your refusal to extend/reenlist to comply with orders to recruiting duty. The Board considered your contention the entry should be removed because you subsequently accepted the orders, reenlisted on 12 October 2017, and graduated from recruiting school on 18 October 2017.

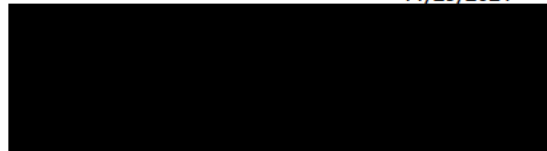
The Board, however, concluded these factors were not sufficient to establish an error or injustice warranting removal of the Page 11 entry. The Board noted a RE-3O reentry code is authorized by regulatory guidance and was assigned when you refused to incur obligated service for orders. Further, the Board noted the entry met the requirements detailed in MCO 1300.8 CH-1 (Marine Corps Personnel Assignment Policy). Additionally, the Board noted the entry provided the written notification of the reason for the assignment of a RE-3O, was acknowledged by you, and afforded you the opportunity to submit a statement. The Board also noted the entry was appropriately issued by the commanding officer as evidenced by his signature on the entry. Lastly, the Board noted MCO 1300.8 CH-1 states the Page 11 will remain a permanent part of

the Marine's record even if the RE-30 reentry code is subsequently removed by the Commandant of the Marine Corps (MMEA/RAM). The Board thus concluded you received the authorized and appropriate reentry code, and there is insufficient evidence of material error or injustice warranting your requested relief.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or 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,

11/29/2021



Executive Director

