



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

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Docket No: 8028-21

Ref: Signature Date



Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Title 10, United States Code, Section 1552. 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 31 January 2022. The names and votes of the panel members 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 the 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, applicable statutes, regulations, and policies, to include the 25 July 2018 guidance from the Under Secretary of Defense for Personnel and Readiness regarding equity, injustice or clemency determinations (Wilkie Memo).

You enlisted in the Naval Reserves and began a period of active duty on 21 June 1978. On 21 November 1978, you began a period of unauthorized absence (UA) which lasted eight days. On 13 December 1978, you received nonjudicial punishment (NJP) for a period of UA. On 12 May 1980, you began a second period of UA which lasted 29 days. On 27 June 1982, you were discharged with an honorable (HON) characterization of service by reason of expiration of term of active obligated service, and you were issued an RE-3R reentry code. On 25 January 1983, you enlisted in the Naval Reserves. On 19 June 1984, you were discharged with an HON characterization of service by reason of immediate reenlistment. On 10 December 1984, you enlisted in Navy and began a period of active duty. On 9 December 1988, you were discharged with an HON characterization of service by reason of expiration of term of enlistment.

The Board carefully considered all potentially mitigating factors to determine whether the interests of justice warrant relief in your case in accordance with the Wilkie Memo. These included, but were not limited to, your desire change your reenlistment code to RE-1. You

contend you served honorably while on active duty to include two additional periods of honorable service. The Board commends your honorable service in the Marine Corps. The Board reviewed all evidence submitted with your application, and noted your signed acknowledgment of your RE-3R reenlistment code. The Board also noticed that an RE-3R reentry code is not considered dishonorable. Based upon this review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. The Board found no error or injustice in your record. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

You are entitled to have the Board reconsider its decision upon the 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,

2/14/2022

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Executive Director

Signed by: █