



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

█  
Docket No: 3314-22

Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER █  
XXX XX █ USMC

Ref: (a) 10 U.S.C. § 1552  
(b) USECDEF Memo, "Guidance to Military Discharge Review Boards and Boards for Correction of Military/Naval Records Regarding Equity, Injustice, or Clemency Determinations," of 25 July 2018

Encl: (1) DD Form 149 with enclosures  
(2) Case summary

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his naval record be corrected by updating his reentry code of "RE-04" on his Certificate of Release or Discharge from Active Duty (DD Form 214).

2. The Board, consisting of █, █, and █, reviewed Petitioner's allegations of error and injustice on 23 May 2022, and, pursuant to its regulations, determined the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of Petitioner's application together with all material submitted in support thereof, relevant portions of Petitioner's naval record, and applicable statutes, regulations, and policies, to include the Kurta Memo, and the 25 July 2018 guidance from the Under Secretary of Defense for Personnel and Readiness regarding equity, injustice, or clemency determinations (Wilkie Memo).

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 review the application on its merits.

c. Petitioner enlisted in the U.S. Marine Corps (USMC) and began a period of active duty on 31 December 1996. On 24 December 2013, Petitioner received nonjudicial punishment (NJP) for

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willfully disobeying a superior commissioned officer and two specifications of failure to obey order or regulation by driving a vehicle after consuming alcohol onboard the host nation air base in [REDACTED]. Petitioner was subsequently counseled due to being eligible but not recommended for promotion to E-8 as a result of his NJP and he chose not to make a statement in rebuttal. Petitioner also received an adverse fitness report for the period of 22 July 2013 to 31 December 2013 and, again, chose not to submit a statement. Petitioner received another adverse fitness report for the period of 18 April 2014 to 30 June 2014, which documented he received a counseling/warning for an integrity violation and for his below average performance relative to setting the example and judgment. Additionally, he was not recommended for promotion. On 21 November 2021, at the end of his enlistment, he was discharged with an Honorable characterization of service and issued a RE-04 reentry code.

d. Petitioner contends, his reentry code does not match his separation code of KBK1 (completion of required active service) nor the narrative reason of discharge (completion of active duty), and he would like it corrected. He argues, "I was unable to continue my military career due to the injustice of my reentry code 04. I should be able to finish my career and retire with full military benefits that I worked hard to earn and sacrificed. During my separation nobody could explain why I was getting a bad entry code and why I would not reenlist. I gave my heart and soul to the United States Marine Corps and this is how they treat me."

e. Petitioner submitted his DD Form 214 and Correction to DD Form 214, Certificate of Release or Discharge From Active Duty (DD Form 215) for consideration.

#### CONCLUSION:

The Board reviewed Petitioner's application under the guidance provided in references (a) and (b). Based on the evidence, the Board concluded Petitioner's RE-04 reentry code is not supported by his record since there is no page 11 documenting the reason for his ineligibility for reenlistment. However, the Board noted Petitioner's NJP and poor performance that is reflected in his two adverse fitness reports. As a result, the Board determined any error or injustice is appropriately addressed by changing Petitioner's reentry code to RE-3C due to his poor performance and misconduct. Based on these findings, the Board concluded Petitioner's request warrants relief.

#### RECOMMENDATION:

In view of the above, the Board directs the following corrective action:

Petitioner be issued a DD Form 215 indicating his reentry code as "RE-3C."

No further changes be made to Petitioner's record.

A copy of this report of proceedings be filed in Petitioner's naval record.

4. 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.

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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.

6/17/2022

[REDACTED]

Executive Director

Signed by: [REDACTED]