



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

TRG
Docket No: 2926-01
24 April 2002

[REDACTED]

[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 23 April 2002. 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.

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

You enlisted in the Marine Corps on 24 June 1997 at age 18. The record shows that during the period 20 August 1998 to 6 October 2000, you received nonjudicial punishment on two occasions and were convicted by a summary court-martial. Your offenses were three short periods of unauthorized absence, two instances of disobedience, three instances of making a false statement, theft of military property, and using a government telephone for personal use. In addition, you were counseled on six occasions concerning lack of judgment, lack of integrity, disorderly conduct, drunkenness, driving on a revoked license, and improperly carrying a concealed weapon.

The discharge processing documentation is not filed in your service record. However, it appears that you were processed for an administrative discharge by reason of misconduct due to a pattern of misconduct. The record shows that you were discharged under other than honorable conditions on 2 February 2001. At that time you were not recommended for reenlistment and were assigned an RE-4 reenlistment code.

In your application, you are requesting a change in the reenlistment code so you can reenlist and earn an honorable

discharge. However, the Board concluded that your record of misconduct and counseling entries was sufficient to support the assignment of the RE-4 reenlistment code.

Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

You may request recharacterization of your discharge and a change in the reason for your discharge by completing the enclosed application, DD Form 293, and submitting it to the Naval Discharge Review Board (NDRB).

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

W. DEAN PFEIFFER
Executive Director

Enclosure