



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

JRE
Docket No: 3567-03
10 September 2003

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

Subj: FORMER [REDACTED]
REVIEW OF NAVAL RECORD

Ref: (a) 10 U.S.C. 1552

Encl: (1) DD Form 149
(2) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that his naval record be corrected to show that he was assigned a more favorable reentry code.

2. The Board, consisting of Mses. [REDACTED] and [REDACTED] and Mr. [REDACTED] reviewed Petitioner's allegations of error and injustice on 5 September 2003 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 the enclosures, naval records, 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. Enclosure (1) was filed in a timely manner.

c. Petitioner enlisted in the Marine Corps on 30 August 1999, and served until 8 February 2000, when he was discharged by reason of a condition, not a disability, which interfered with his performance of duty, to wit, diabetes mellitus. He was assigned a reenlistment code of RE-4. There is no entry in his Administrative Remarks page concerning the assignment of a reentry code, his Offenses and Punishments page is blank and there is no indication elsewhere in his record that he committed any acts of misconduct during his enlistment, or that his performance of duty, apart from his medical condition, was unsatisfactory.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes that in view of the lack of an administrative remarks entry justifying the assignment of an RE-4 reentry code, and the absence of a record of disciplinary action or poor performance, it would be in the interest of justice to assign Petitioner a reentry code of RE-3P, vice the code of RE-4 he was actually assigned at discharge.

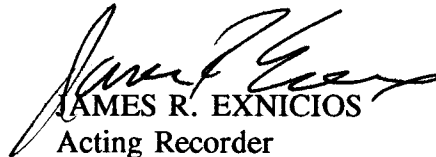
RECOMMENDATION:

a. That Petitioner's naval record be corrected to show that he was assigned a reentry code of RE-3P on 8 February 2000, in place of the RE-4 code he actually received on that date.

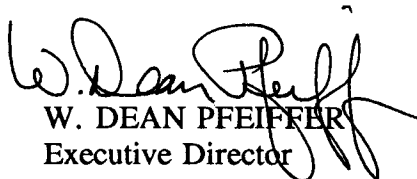
b. That a copy of this Report of Proceedings be filed in Petitioner's naval record.

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.

ROBERT D. ZSALMAN
Recorder


JAMES R. EXNICIOS
Acting Recorder

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 Regulations, 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.


W. DEAN PFEIFFER
Executive Director