



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

SJN
Docket No: 01427-12
15 February 2012



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 14 February 2012. 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.


You enlisted in the Marine Corps and began a period of active duty on 8 August 2007. The Board found that on 29 October 2007, you received nonjudicial punishment (NJP) for larceny from another recruit. You received a forfeiture of pay, restriction, and extra duty. Subsequently, you were processed by reason of entry level performance and conduct and received an uncharacterized discharge. At that time, you were assigned an RE-3F reentry code. In this regard, you were assigned the most favorable reentry code based on your circumstances. The RE-3F reentry code may not prohibit reenlistment, but requires that a waiver be obtained from recruiting personnel who are responsible for reviewing the feasibility of satisfying the Marine Corps personnel manning goals by determining whether or not an

individual meets the standards for reenlistment. If you wish to reenlist, re-affiliate, or be reinstated in the Marine Corps, you should contact the Marine Corps Recruiting Command via your nearest recruiting facility.

The Board in its review of your application carefully considered all potentially mitigating factors, such as your youth and short period of service. Nevertheless, the Board concluded these factors were not sufficient to warrant recharacterization of your discharge or changing your reentry code given your NJP, and the fact that an entry level separation is assigned in every case in which an individual is discharged prior to completion of 180 days of active duty. The Board thus concluded that there is no error or injustice in the entry level separation or reentry code. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

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