



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

SJN
Docket No: 00750-13
17 October 2013



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 16 October 2013. The names and votes of the members of the panel 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 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 24 May 1976. The Board found that during the period from 31 March 1977 to 1 May 1981, you received five nonjudicial punishments (NJP's) for three periods of unauthorized absence (UA) totaling six days, sleeping on post, disrespect and wrongful possession of marijuana. You remained on active duty until you were honorably discharged on 4 December 1981. At that time, you were not recommended for retention and assigned an RE-4 reenlistment code based on your conduct.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth, record of service and the reason you were not permitted to reenlist. Nevertheless, the Board concluded these factors were not sufficient to warrant a change of your reenlistment code. In this regard, an RE-4 reenlistment code is required when a Marine is discharged at the expiration of his term of active obligated service and not recommended for retention. Accordingly, your application has been denied. With regard to your Certificate of

Release of Discharge from Active Duty (DD Form 214), it was properly corrected by the Correction to DD Form 214, Certificate of Release of Discharge from Active Duty (DD Form 215) changing your characterization of service to honorable.

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