



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

BJG
Docket No: 775-13
15 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.

Since your discharge is less than 15 years old, you may apply to the Naval Discharge Review Board (NDRB) for a change to your character of service and narrative reason for separation. I have enclosed a copy of NDRB's application form for your convenience.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 10 October 2013. 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.

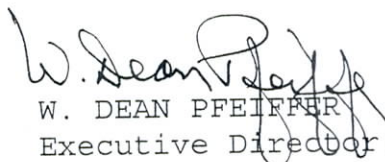
You enlisted in the Marine Corps and entered active duty on 10 July 1997. You received nonjudicial punishment on for failure to obey a lawful order. You were also counseled on three

occasions regarding unauthorized absence and uttering worthless checks. On 17 May 1999, you made a suicidal gesture while in Tijuana, Mexico. You were also offered Level III inpatient substance abuse rehabilitation, but failed due to refusal of treatment. You were then notified that your commanding officer was recommending you for administrative separation with an other than honorable (OTH) characterization of service discharge due to misconduct. You waived your procedural right to an administrative discharge board (ADB). On 15 October 1999, you received an OTH characterization of service discharge due to misconduct, and were assigned an RE-4 (not recommended for reenlistment) reentry code.

In its review of your application, the Board carefully weighed all potentially mitigating factors, such as your youth and current desire to upgrade your reentry code. However, the Board concluded that your reentry code should not be changed due to your numerous acts of misconduct. The Board particularly noted that you waived the right to an ADB, your best opportunity for retention or a better characterization of service. You are advised that no reentry code is upgraded automatically due solely to the passage of time or post service good conduct. In view of the above, 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

Enclosure