



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

ES
Docket No: 5886-14
22 June 2015

Dear

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.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your application on its merits. A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 3 June 2015. 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 Reserve and began a period of active duty on 30 April 2007. Your record contains a service entry which states that you were recommended for separation by reason of physical disability. As a result of the foregoing, you were discharged with an honorable discharge on 24 February 2009, and assigned an RE-3C reentry code.

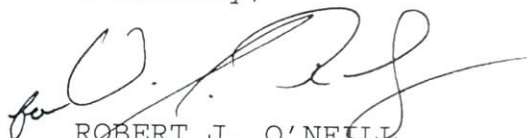
The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your desire to change your reentry code. Nevertheless, the Board concluded these factors were not sufficient to warrant a

change in your reentry code given your diagnosed physical disability. In this regard, an RE-3C reentry code is authorized when a Marine is discharged due to a condition, not a disability, and not recommended for retention. As such, you were assigned the most appropriate reentry code based on your situation. Accordingly, your application has been denied.

Finally, RE-3C reentry code may not prohibit reenlistment, but requires that a waiver be obtained from Commandant Marine Corps 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.

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 within one year from the date of the Board's decision. New evidence is evidence not previously considered by the Board prior to making its decision in your case. 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,

A handwritten signature in dark ink, appearing to read "R. J. O'Neill", with a stylized flourish extending to the right.

ROBERT J. O'NEILL
Executive Director