



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

Docket No. 8503-25
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF
[REDACTED] USMC

Ref: (a) 10 U.S.C. §1552
(b) USECDEF Memo of 25 Jul 18 (Wilkie Memo)

Encl: (1) DD Form 149 with attachments
(2) Case summary
(3) Subject's naval record (excerpts)

1. Pursuant to the provisions of reference (a), Petitioner, a former member of the Marine Corps, filed enclosure (1) requesting his reenlistment code be changed to RE-3F on his Certificate of Release or Discharge from Active Duty (DD Form 214). Enclosures (1) through (3) apply.

2. The Board, consisting of [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error and injustice on 25 August 2025 and, pursuant to its regulations, determined that the corrective action indicated below should be taken. Documentary material considered by the Board consisted of Petitioner's application together with all material submitted in support thereof, relevant portions of Petitioner's naval record, and applicable statutes, regulations, and policies, to include reference (b).

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. Although enclosure (1) was not filed in a timely manner, it is in the interest of justice to review the application on its merits.

c. Petitioner enlisted in the Marine Corps and began a period of active service on 18 October 2021.

d. On 30 March 2022, Petitioner received non-judicial punishment (NJP) for willfully disobeying the order of a superior commissioned officer, while Company A was preparing to

execute live fire attacks at Range L-5, when he refused to train and participate in military occupational specialty (MOS) training. The same day, Petitioner was issued an administrative remarks (Page 11) counseling concerning deficiencies in his performance and/or conduct. He was advised that any further deficiencies in his performance and/or conduct may result in disciplinary action and in processing for administrative discharge. On 1 April 2022, Petitioner received another NJP for willfully disobeying an order from a superior commissioned officer to participate in MOS training at Range L-5.

e. On 21 April 2022, Petitioner was notified of administrative separation processing by reason of misconduct due to pattern of misconduct. He waived his rights to consult counsel and to have his case heard by an administrative discharge board. Petitioner submitted a statement indicating that, after completing three months of School of Infantry (SOI) training, he realized that he did not want to be in the Marine Corps. On 2 May 2022, Petitioner received a mental health assessment as part of his discharge processing that indicated he did not have a medical condition that would have a material effect on his behavior. Petitioner's commanding officer recommended an under Other Than Honorable (OTH) conditions discharge by reason of his misconduct. The separation authority directed an OTH characterization of service and Petitioner was so discharged on 22 June 2022.

f. Post-discharge, Petitioner applied to the Naval Discharge Review Board (NDRB) for a discharge upgrade. On 17 July 2023, the NDRB determined that Petitioner's discharge was proper but not equitable and directed an upgrade to Petitioner's characterization of service to General (Under Honorable Conditions) (GEN) and a change in narrative reason for separation to "Entry Level Performance and Conduct." However, the BNDRB determined no change to Petitioner's RE-4 reentry code was merited. The NDRB found that Petitioner's disciplinary infractions reflected a lack of maturity and were prejudicial to good order and discipline, but not of such severity as to jeopardize the reputation of the Marine Corps, endanger the lives of others, or compromise the integrity of the Petitioner. The NDRB also held that significant negative aspects of the Petitioner's conduct or performance of duty outweighed the positive aspects of the Petitioner's service record and warranted a GEN characterization of service and no higher.

g. Petitioner contends he is currently attempting to join the U.S. Army, his reentry code prohibits him from doing so, and he experienced racism and other mistreatment in recruit training. Petitioner also checked the "Mental Health" box on his application but responded to the Board's request for evidence in support of his claim, stating: "I want to clarify that I do not have a diagnosed mental health condition." For the purpose of clemency and equity consideration, Petitioner provided a decision letter from the NDRB, a reenlistment code sheet, two advocacy letters, and an email from an Army recruiter.

CONCLUSION

Upon careful review and consideration of all of the evidence of record, the Board determined that Petitioner's request warrants partial relief.

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The Board noted Petitioner's disciplinary infractions and does not condone his misconduct; which resulted in his OTH characterization of service. Further, the Board noted that the NDRB chose to retain the RE-4 reenlistment code when it upgraded Petitioner's characterization of service to GEN. However, after considered the totality of the circumstances and reviewing the record holistically to determine whether relief is warranted in the interests of justice in accordance with reference (b), given the totality of the circumstances and purely as a matter of clemency, the Board determined that the Petitioner's reenlistment code should be changed to "RE-3C." The recommended code allows reentry when directed by the Commandant of the Marine Corps (CMC) and also may be issued when a member not eligible for reentry and the disqualifying factor is not covered by any other code.

Ultimately, the Board found no error in Petitioner's RE-4 reenlistment code based on his record of misconduct. The Board also found that Petitioner's requested reenlistment code, RE-3F, is not appropriate as it indicates that the Petitioner did not complete recruit training. The Board noted that Petitioner completed all of recruit training and a portion of SOI training. Therefore, the Board determined the recommended corrective action most appropriately addresses any injustice in Petitioner's record while accurately categorizing Petitioner's suitability for further military service.

In view of the above, the Board directs the following corrective action.

RECOMMENDATION

That Petitioner be issued a "Correction to DD Form 214, Certificate of Release or Discharge from Active Duty" (DD Form 215), for the period ending 22 June 2022, indicating he was discharged with a reentry code of "RE-3C."

That no further changes be made to Petitioner's record.

That a copy of this report of proceedings be filed in Petitioner's naval record.

4. 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.

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 Regulation, 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.

9/10/2025

