



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

TRG  
Docket No: 2875-01  
5 September 2001

[REDACTED]

Dear Mr. [REDACTED]:

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 5 September 2001. 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 on 12 February 1988 at age 24. On 3 March 1988 you admitted to a fraudulent enlistment, stating that prior to enlistment that you had use PCP over 300 times, cocaine 150 times and been treated in several psychiatric hospitals for drug abuse. Based on your admissions, you were processed for separation due to fraudulent enlistment. At that time you elected to waive your procedural rights. Subsequently, the separation authority directed an entry level separation and you were so separated on 14 March 1988.

Decisions of the Comptroller General and applicable regulations state that pay and allowances cannot be paid to an individual after the discovery of a fraudulent enlistment. The Board concluded that you were properly discharged due to fraudulent enlistment and no pay and allowances are authorized in your case.

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