



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

CRS
Docket No: 1998-02
12 September 2002

[REDACTED]

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This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, 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 4 September 2002. 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.

The Board found that you enlisted in the Marine Corps on 25 November 1991. The record reflects that you received nonjudicial punishment on 7 October 1993 for drunk driving and driving on base without a license. On 28 June 1994 you were counseled for a second drunk driving incident. Subsequently, on 21 November 1994, you received a second nonjudicial punishment for an unauthorized absence of nine days. On 15 May 1996 you were honorably separated and transferred to the Marine Corps Reserve. At that time, you were assigned a reenlistment code of RE-4.

The Board concluded that your two nonjudicial punishments and the two drunk driving incidents were more than sufficient to support the assignment of the RE-4 reenlistment code. The Board thus concluded that there is no error or injustice in your reenlistment code. 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