



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

WMP

Docket No: 8675-01

9 May 2002

[REDACTED]

[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 24 April 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, 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 25 October 1988 for four years at age 18. The record reflects that you received non-judicial punishment (NJP) on four occasions for operating a motor vehicle while drunk, wrongful consumption of alcohol while under the legal age limit, wrongful use of a controlled substance, and unauthorized absence.

On 24 October 1992, you were honorably released from active duty and transferred to the Marine Corps Reserve. At that time you were assigned an RE-4B reenlistment code.

Regulations require the assignment of an RE-4B reenlistment code to individuals when there is a military or civilian record of in-service illegal drug involvement and there is no potential for further service. The Board found no evidence in the

available records that you were recommended for retention or that you had potential for further service. The Board concluded that your NJP for wrongful use of a controlled substance, coupled with three additional NJP's, provided sufficient justification to warrant a non-recommendation for reenlistment and the assignment of an RE-4B reenlistment code. The Board thus concluded that the reenlistment code was proper and no change is warranted. 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