



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

JRE  
Docket No. 07900-08  
24 August 2009



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 20 August 2009. 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 on 8 September 1989 you were discharged by reason of physical disability that was incurred as a result of your not in the line of duty and due to your own misconduct. You were assigned a reentry code of RE-3P.

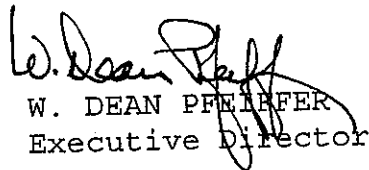
The basis for the adverse line of duty/misconduct determination that was made in your case is not shown in the available records; however, you have not submitted any evidence which is probative of your contention that your injuries were incurred in the line of duty. The Board noted that while a reentry code of RE-3P may be assigned when a Marine is discharged for such

condition as obesity and motions sickness, as you allege, it is also assigned when a Marine is discharged by reason of physical disability. The alphanumeric separation code of JFP1 you were assigned is listed in the Marine Corps Separation and Retirement Manual. It indicates that you were discharged by reason of physical disability that was not incurred in the line of duty. Other services assign a similar code of JFP to personnel discharged by reason of physical disability that was not incurred in the line of duty.

In view of the foregoing, 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