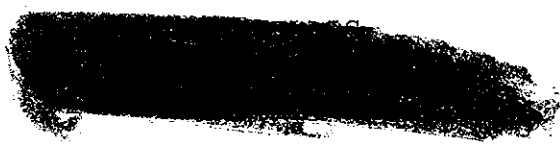




DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

JRE

Docket No. 12159-09
25 January 2010



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 14 January 2010. 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 were honorably discharged from the Marine Corps on 1 October 1996 by reason of alcohol abuse rehabilitation failure. As alcohol abuse is not considered to be a disability under the laws administered by the Department of the Navy, and as you have not demonstrated that you suffered from a ratable condition which rendered you unfit to reasonably perform the duties of your rank, there is no basis for correcting your record to show that you were separated or retired by reason of physical disability. Accordingly, your application has been denied. The

names and votes of the members of the panel will be furnished upon request.

If you would like to have your DD Form 214 administratively corrected to show that you were discharged by reason of "alcohol abuse rehabilitation failure", rather than "alcohol abuse failure", you should contact the Commandant of the Marine Corps, MMSB-10, 3820 Russell Road, Quantico, VA 22134.

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 PFEFFER
Executive Director