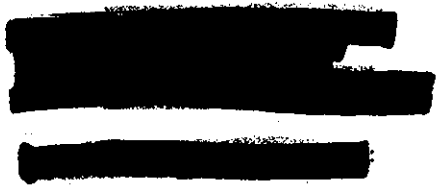




DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

TJR
Docket No: 719-11
26 October 2011



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 25 October 2011. The names and votes of the members of the panel will be furnished upon request. 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Marine Corps on 4 September 1996 at age 18 and immediately began a period of active duty. You served without disciplinary incident until 15 April 1998, when you received nonjudicial punishment (NJP) for wrongful use of methamphetamine and were awarded reduction to paygrade E-2.

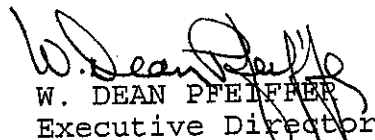
Subsequently, you were processed for an administrative separation action by reason of misconduct due to drug abuse. After waiving your procedural right to consult with legal counsel and to present your case to an administrative discharge board (ADB), your commanding officer recommended discharge under other than honorable conditions by reason of misconduct due to drug abuse. On 26 August 1998 the discharge authority approved this recommendation and directed your commanding officer to issue you an other than honorable discharge by reason of misconduct, and on 3 September 1998, you were so discharged. At that time you were assigned an RE-4B reenlistment code.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your youth and desire to change your reenlistment code. Nevertheless, the Board concluded these factors were not sufficient to warrant relief in your case because of the seriousness of your drug related misconduct. Further, an RE-4B reenlistment code is authorized when a Marine is discharged under other than honorable conditions for in-service drug abuse. Accordingly, your application has been denied.

The Board also noted that you are entitled to submit the attached Application for the Review of Discharge or Dismissal from the Armed Forces of the United States (DD Form 293) to the Naval Council of Personnel Boards, attention: Naval Discharge Review Board, 720 Kennon Street, S. E., Room 309, Washington Navy Yard, Washington, DC 20374-5023 for consideration of an upgrade of your discharge and a change in your narrative reason for discharge.

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

Enclosure