



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

BC
Docket No: 09471-13
10 March 2014

[REDACTED]

Dear [REDACTED]

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 26 February 2014. 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.

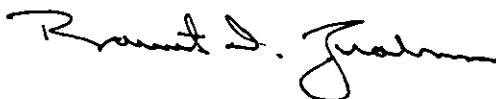
You enlisted in the Marine Corps and began a period of active duty on 6 September 2005. On 25 July 2007, you were convicted by a summary court-martial (SCM) of wrongful use of a controlled substance and sentenced to forfeiture of \$867, reduction in pay grade and confinement for 30 days. On 21 May 2009, you received counseling and acknowledged that you would be assigned an RE-4 reentry code upon your separation. You were honorably released from active duty on 29 September 2009, with an honorable release from active duty characterization of service and assigned a RE-4 reentry code.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors in your case. However, the Board found those factors insufficient to warrant any change in your reentry code, due to your SCM

conviction. Concerning your contention that you were told by your regimental commander that you would be able to reenlist or extend, the Board could find no evidence in your record to substantiate your claim. 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,

A handwritten signature in cursive script, appearing to read "Robert D. Zsalmán".

ROBERT D. ZSALMAN
Acting Executive Director