



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

BC  
Docket No: 00533-14  
19 March 2014

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]

Ref: (a) 10 U.S.C. 1552

Encl: (1) DD Form 149 with attachments  
(2) Case summary  
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner, a former enlisted member of the United States Navy, filed enclosure (1) with this Board requesting, in effect, that the narrative reason for separation (Fraudulent entry into military service (other)) and the RE-4 reentry code issued on 17 February 2009, be upgraded.

2. The Board, consisting of Mr. Bey, Ms. Lapinski, and Mr. Storz, reviewed Petitioner's allegations of error and injustice on 12 March 2014, and, pursuant to its regulations, determined that the partial corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. Petitioner enlisted on 20 January 2009. He had no disciplinary actions during his period of service. On 2 February 2009, he was diagnosed with scoliosis which existed prior to his enlistment (EPTE). He was administratively

separated and received an uncharacterized entry level separation by reason of fraudulent entry into the military service (other) on 17 February 2009, and assigned an RE-4 reentry code. He could have been assigned an RE-3G (Condition (not physical disability) interfering with performance of duty) reentry code.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board determined it would be in the interest of justice to change the narrative reason for separation to "(Condition (not physical disability) interfering with performance of duty)", his separation code be changed to the appropriate code and his reentry code should be changed to "RE-3G" vice "RE-4".

RECOMMENDATION:

a. That Petitioner's naval record be corrected to show that on 17 September 2009, he was assigned an RE-3G reentry code vice the RE-4 reentry code that was actually assigned on that date.

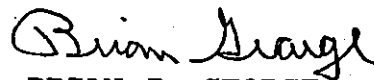
b. That the narrative reason for discharge in block 28 of Petitioner's DD Form 214 be changed from FRAUDULENT ENTRY INTO MILITARY SERVICE to CONDITION NOT A PHYSICAL DISABILITY INTERFERING WITH THE PERFORMANCE OF DUTY and that an appropriate change be made to the Petitioner's separation code in block 26.

c. That no further relief be granted.

d. That a copy of this report of proceedings be filed in his record.

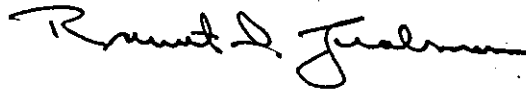
4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c) it is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN  
Recorder

  
BRIAN J. GEORGE  
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulation, Section 723.6(e))

and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

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

ROBERT D. ZSALMAN  
Acting Executive Director