



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

SJN
Docket No: 3047-14
11 December 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 25 November 2014. 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 and began a period of active duty on 12 August 2002. On 12 April 2004 and 11 January 2007, you received nonjudicial punishment for two instances of disobedience and dereliction of duty. You remained on active duty until you were honorably discharged at the expiration of your enlistment on 13 October 2013. Your narrative reason for separation was "non-retention on active duty." At that time you were assigned an RE-3C reentry code. In this regard, you were assigned the most favorable reentry code based on your circumstances. The RE-3C reentry code may not prohibit reenlistment, but requires that a waiver be obtained from recruiting personnel who are responsible for reviewing the feasibility of satisfying the Marine Corps personnel manning goals by determining whether or not an individual meets the standards for reenlistment. If you wish to reenlist, re-

affiliate, or be reinstated in the Marine Corps, you should contact the Marine Corps Recruiting Command via your nearest recruiting facility.

The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your record of service and the reason you were not permitted to reenlist. Nevertheless, the Board concluded these factors were not sufficient to warrant a change in your reentry code given the fact that you were not recommended for retention. In this regard, an RE-3C reentry code is authorized when a Marine is discharged at the expiration of their term of active obligated service and is not recommended for retention. Additionally, under the circumstances of your case, the code is required when the narrative reason for separation is "non-retention on active duty." Accordingly, your application has been denied.

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 within one year from the date of the Board's decision. New evidence is evidence not previously considered by the Board prior to making its decision in your case. 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,



ROBERT J. O'NEILL
Executive Director