



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

MEH:ddj
Docket No: 4018-99
8 September 1999

[REDACTED]

[REDACTED]

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 8 September 1999. 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. In addition, the Board considered the advisory opinion furnished by CMC memorandum 1001/1 MMEA-6 of 25 August 1999, a copy of which is attached.

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. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. 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,

W. DEAN PFEIFFER
Executive Director

Enclosure



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
3280 RUSSELL ROAD
QUANTICO, VIRGINIA 22134-5103

IN REPLY REFER TO:
1001/1
MMEA-6
25 AUG 1999

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD OF CORRECTION OF
NAVAL RECORDS

Subj: BCNR DOCKET NO. 04018-99 CASE OF [REDACTED]

1. [REDACTED] We reviewed all documents pertaining to [REDACTED] current request for entitlement to a selective reenlistment bonus (SRB). Previous requests were reviewed on 15 March 1995 and 12 May 1997. [REDACTED] information in the current request does not change our two previous recommendations. He does not rate the SRB bonus and we recommend this request be denied.

2. [REDACTED] questions whether or not the Marine Corps was approving early reenlistments on a case by case basis at the time of Warrant Officer [REDACTED] 1991 reenlistment. Early reenlistments were considered on a case by case basis during that time. Marine Corps Order P1040.31F, (the current edition in 1991), Career Planning and Retention Manual, paragraph 4102.6 states, "Obligated Service Requirements For Transfer/Training. Exceptions will be made by the Commandant of the Marine Corps to allow Marines to reenlist earlier than one year to EAS to meet the needs of the service. Marines in receipt of permanent change of station orders requiring additional service may request this exception. This includes orders to Drill Instructor, Recruiter, and Marine Security Guard Schools." Warrant Officer Coleman did not require additional obligated service to execute his PCS orders since he was making a conus to conus move and was not being assigned to Drill Instructor, Recruiter or Marine Security Guard Duty. Therefore, Warrant Officer Coleman did not warrant consideration for an early reenlistment as he contends.

3. Staff Sergeant Lamie, the Marine [REDACTED] asserts was given preferential treatment, was approved for early reenlistment because he was complying with orders to recruiting duty. Staff Sergeant Lamie met the prerequisites of an early reenlistment in 1991. [REDACTED] case did not meet the requirements for an early reenlistment and his request was therefore not forwarded to the Enlisted Retention Section (MMEA-6).

4. Mr. Gittins' letter in support of his client, now Warrant [REDACTED] claims an injustice was committed. We do not find facts that support this claim. The "new information" presented by [REDACTED] is based on the reenlistment contract of another Marine whose circumstances and eligibility

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[REDACTED]

[REDACTED] were significantly different than his own. The fact is Warrant [REDACTED] at the time of the alleged "injustice", was not eligible for an early reenlistment, regardless of any other Marines circumstances. We recommend that this petition be denied.

5. Point of contact is Captain M. P. Cody, DSN 278-9238



C. O. SKIPPER
COLONEL, U.S. MARINE CORPS
HEAD, ENLISTED ASSIGNMENT BRANCH
BY DIRECTION OF THE COMMANDANT OF THE MARINE CORPS