



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

TRG
Docket No: 1483-01
5 December 2001

[REDACTED]

Dear [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 27 November 2001. 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 Headquarters Marine Corps, a copy of which is enclosed.

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.

The record shows that during the 20 year period from 17 July 1952 until your honorable discharge on 27 July 1973 you served on active duty for about 14 years and 6 months. In addition, during the period from 20 December 1958 to 28 January 1965 you were a member of the Marine Corps Reserve and earned about four years and six months of qualifying service for reserve retirement.

In your application, you are requesting that the record be corrected to show that you transferred to the Fleet Marine Corps Reserve. However, you are not eligible for such transfer because you did not complete 20 years of active service. Actually, you have less than 15 years of active service. Therefore, the Board substantially concurred with the comments contained in the advisory opinion.

The Board also considered whether your record could or should be corrected to show that you are eligible for reserve retirement and retired pay at age 60. In order to be eligible for reserve retirement, an individual must have 20 years of qualifying service and the last eight years must be in the reserve component. A qualifying year is one in which an individual earns at least 50 retirement points.

As indicated in the enclosed Reserve Retirement Master Control Card (RRMCC), you have been credited with only 19 years and 13 days of qualifying service. In addition, the last eight years of service are in the Regular Marine Corps and not the Marine Corps Reserve as required. Therefore, you are not eligible for reserve retirement because you do not have 20 qualifying years with the last eight years in the reserve component. Since there are two reasons why you are not eligible, the Board declined to make corrections to your record to make you eligible for reserve retirement. If you have evidence showing that the RRMCC is in error and you actually have 20 qualifying years, you should send that evidence to the Board for evaluation and possible reconsideration of your case.

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

Enclosures



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

IN REPLY REFER TO:
1760
MMSR-6J
21 Sep 01

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

Subj: BCNR APPLICATION IN THE CASE OF FORMER [REDACTED]

Ref: (a) MMER Route Sheet of 5Sep01, Docket No. 1483-01
(b) MMSR-6J Memorandum 1760 of 17Aug01

Encl: (1) Statement of Service

1. Reference (a) requests additional information pertaining to reference (b) regarding former [REDACTED] petition to correct his records to show that he was transferred to the Fleet Marine Corps Reserve (FMCR) and not discharged.

2. The enclosure is forwarded as requested. Paragraph (2) of reference (b) is hereby corrected as follows: Former [REDACTED] [REDACTED] was discharged on that date after serving 14 years, 7 months and 11 days of combined active service in the Marine Corps and the U.S. Army. Although he had served 21 years and 11 days combined total service, his 14 years and 7 months of years active service does not qualify former Staff Sergeant Wilder for transfer to the FMCR as he requests.

3. Former [REDACTED] was honorably discharged under proper authority. Unfortunately, we must recommend that his petition not be granted favorable consideration.

J. P. RATHBUN, JR.

Head, Separation and
Retirement Branch

By direction of the Commandant
of the Marine Corps

Name: [REDACTED]
SSN: [REDACTED]

Designator:

Date of Report: 09/21/01

Statement of Service

	Inactive	Active	Training	Subtotals		
				Active	Inactive	
USMC-E 3/15		07/17/52	07/16/55	3	0	0
USMCR-E	07/17/55	01/02/56			0	5 16
USA-E		01/03/56	12/19/58	2	11	17
USAR-E	12/20/58	06/26/59			0	6 7
USMCR-E 4 yrs	06/27/59	08/14/59			0	1 18
USMCR-E			08/15/59	08/29/59	0	0 15
USMCR-E	08/30/59	08/03/62			2	11 4
USMCR-E			08/04/62	08/19/62	0	0 16
USMCR-E	08/20/62	06/26/63			0	10 7
USMCR-E			06/27/63	07/06/63	0	0 10
USMCR-E	07/07/63	07/18/64			1	0 11
USMCR-E			07/19/64	08/01/64	0	0 14
USMCR-E	08/02/64	01/28/65			0	5 27
USMC-E		01/29/65	01/28/67		2	0 0
USMC-E		01/29/67	07/27/73		6	5 29

Co: 07

Active duty : 14 year(s) 7 month(s) 11 day(s)
Inactive duty : 6 year(s) 5 month(s) 0 day(s)
21 0 11

Examiner: / Reviewer: [Signature] 010921

Name: [REDACTED]

SSN: [REDACTED]

Grade:

TAC Code	1st Elig Date	USN/USNR	Trans Date	Service Entry	Last Disc
0 1 0	07/28/73	N	07/27/73	07/17/52	07/27/73

Service	SVC	30 Years	Hero	TE	Sevre. Pay	DOB	CIT	Application
14 7 11	N	07/15/82	N	N	N	/ /	C	/ /

PAY ENTRY BASE DATE		COMMISSION CONTROL DATE		PRIOR TO 1 JULY 1949: SFS								RETIREMENT POINTS	
DATES		OCCASION CODES	ACTIVE DUTY POINTS	INACTIVE DUTY				SUMMARY			TOTAL YEARS QUALIFYING SERVICE FOR RETIREMENT (50PTS. MIN. FOR YEAR OF		
FROM	TO			DRILLS	CORRE SPON DENCE COURSES	EIOD'S	MEMBER-SHIP	TOTAL ACTIVE DUTY POINTS	TOTAL INACTIVE DUTY POINTS (60 MAX)	TOTAL POINTS			
520717	530716	1	365	0	0	0	0	365	0	365	01-00-00		
530717	540716	1	365	0	0	0	0	365	0	365	02-00-00		
540717	550716	2	356	0	0	0	0	356	0	356	03-00-00		
550717	560716	2	0	4	0	0	6	0	10	10	03-00-00		
560717	570716	1	365	0	0	0	0	365	0	365	04-00-00		
570717	580716	1	365	0	0	0	0	365	0	365	05-00-00		
580717	581219	2	342	0	0	0	0	342	0	342	05-11-12		
581220	590626	2	0	0	0	0	8	0	8	8	05-11-12		
590627	600626	1	15	30	0	0	15	15	45	60	06-11-12		
600627	610626	1	0	0	0	0	15	0	15	15	06-11-12		
610627	620626	1	0	36	0	0	15	0	51	51	07-11-12		
620627	630626	1	17	46	0	0	15	17	51	68	08-11-12		
630627	640626	1	10	41	0	0	15	10	56	66	09-11-12		
640627	650128	2	0	24	0	0	9	0	32	32	10-06-14		
650129	660128	1	365	0	0	0	0	365	0	365	11-06-14		
660129	670128	1	365	0	0	0	0	365	0	365	12-06-14		
670129	680128	1	365	0	0	0	0	365	0	365	13-06-14		
680129	690128	1	366	0	0	0	0	366	0	366	14-06-14		
690129	700128	1	365	0	0	0	0	365	0	365	15-06-14		
700129	710128	1	365	0	0	0	0	365	0	365	16-06-14		
710129	720128	1	365	0	0	0	0	365	0	365	17-06-14		
720129	730128	1	366	0	0	0	0	366	0	366	18-06-14		
730129	7300727	2	179	0	0	0	0	179	0	179	19-00-13		
TOTAL POINTS: 5,602													
HONORABLY DISCHARGED FROM THE USMCR ON: 27 July 1973													
"CERTIFIED AS TRUE AND CORRECT"													
[REDACTED SIGNATURE]													
ASSITANT HEAD,													
INACTIVE RESERVE SECTION,													
BATTALION AND RETIREMENT BRANCH													

OCCASION CODES: 1 - End of annual year. 2 - Separated from active reserve status.

* = Reserve Retirement Credit Report is not on file. Current unit must submit a copy to MMSR-5.

RESERVE RETIREMENT MASTER CONTROL CARD (1820)
 NAVMC HQ 509 (REV. 3-85) (EF)

Designed Using FormFlow 2.15, HQMC/ARAE, May 98