



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

LCC:lc  
Docket No: 2338-02  
12 June 2002

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

Subj: [REDACTED]  
REVIEW OF NAVAL RECORD

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

Encl: (1) DD Form 149 w/attachments  
(2) Series of Documents  
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected to show that the period of time between his discharge from active duty US Navy to the date he enlisted for the OCS Program in the US Marine Corps counts toward his Pay Entry Base Date (PEBD).

2. The Board, consisting of Messrs. Chapman, Pfeiffer, and Ms. Humberd, reviewed Petitioner's allegations of error and injustice on 5 June 2002 and, pursuant to its regulations, determined that the 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. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. After reviewing the correspondence attached as enclosure (2), the Board concluded that the request has merit and warrants favorable action.

#### CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action.

RECOMMENDATION:

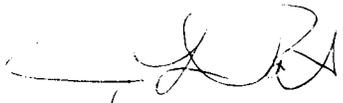
That Petitioner's naval record be corrected, where appropriate, to show that:

- a. Petitioner was discharged from active duty from the US Navy effective "29 January 2000" vice "29 December 1999".
- b. The enlistment of 30 December 1999 into the USMCR(C) through 29 January 2000, when discharged, is null and void and will be removed from his Marine Corps records.

(NOTE: The Chief of Naval Personnel and the Commandant of the US Marine Corps will each be furnished this letter for applicable action.)

- c. That a copy of this Report of Proceedings be filed in Petitioner's naval 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 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



G. L. ADAMS  
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 Regulations, 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.

12 June 2002



W. DEAN PFEIFFER  
Executive Director