



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

BJG
Docket No: 4613-03
5 September 2003

2ND [REDACTED] USMCR
[REDACTED]

Dear Lieutenant [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.

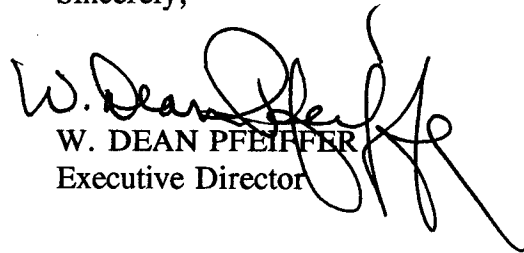
A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 5 September 2003. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. 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 the Marine Corps Recruiting Command, dated 24 June 2003, 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

4613-03
IN REPLY REFER TO:
1412/2
MCRC(OA)
24 Jun 03

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

Subj: BCNR APPLICATION IN THE CASE OF SECOND LIEUTENANT [REDACTED]
[REDACTED] MCR

Ref: (a) MMER Route Sheet of 19 Jun 2003

1. Reference (a) requested an advisory opinion in the case of Second Lieutenant [REDACTED] [REDACTED] Second Lieutenant [REDACTED] requesting correction of his date of Appointment Acceptance.

2. A review of all documentation submitted, including the subject's Official Military Personnel File was made and the following facts and recommendation were germane:

a. NAVMC form 763 was signed by both appointee and Officer Administering the Oath on 23 Jun 01.

b. Parchment was dated for 17 Jun 01.

3. **It is my opinion that the request be disapproved.** Additional documentation is required. Affidavits from both the Officer Selection Officer and Commissioning official attesting to the fact that 23 Jun 01 was erroneous and that the commissioning ceremony took place on 17 June 01.

4. The point of contact in this matter is Chief [REDACTED] [REDACTED].

[REDACTED]