



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

DJC
Docket No. 2509-08
29 July 2008

[REDACTED]

Dear [REDACTED]

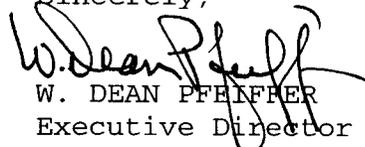
This is in reference to your application for correction of your naval record pursuant to the provisions of 10 USC 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 28 July 2008. 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 HQMC Memo 1040 MMEA dtd 24 Jun 08, 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:

1040
MMEA
24 Jun 08

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF NAVAL RECORDS

Subj: BCNR DOCKET NUMBER 02509-08; REQUEST FOR ADVISORY OPINION
IN THE CASE OF [REDACTED]

1. We have carefully reconsidered [REDACTED] case and the following additional comments are provided.
2. This headquarters understands that a mathematical error occurred regarding [REDACTED] total active service in his reenlistment request of 29 June 2007. The error caused him to submit a 24 month reenlistment request vice 36 months.
3. Had [REDACTED] been approved for a 36 month reenlistment, he would not have been qualified for any monetary bonus in conjunction with his reenlistment.
4. The correct procedure for [REDACTED] to follow is to submit a request for a one year extension to this headquarters via his chain of command. When approved, this extension will allow him to gain the additional obligated service necessary to submit his request to transfer to the Fleet Marine Corps Reserve.
5. This headquarters appreciates the opportunity to reconsider [REDACTED] case. However, our advisory opinion of 10 April 2008 remains unchanged.


R. W. SPOONER
GS-15, Deputy Head,
Enlisted Assignment Branch