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

JSR  
Docket No: 1637-09  
25 June 2009

[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.

You requested correction of your record to show you entered the Marine Corps in the grade of captain (pay grade O-3), the grade you held as an officer of the United States Air Force.

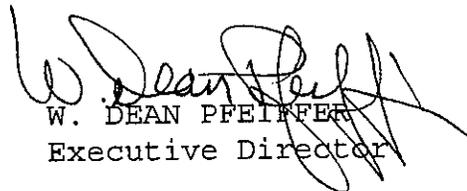
A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 25 June 2009. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. 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 from Headquarters Marine Corps dated 13 April 2009, 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. The Board was unable to find you were told Marines "did not have the opportunity" for an interservice transfer or that a Captain T--- told you "'they' do not do Lateral Transfers." Finally, the Board noted that the unsigned letter of 5 December 2008 from Captain D--- acknowledged you were ineligible for interservice transfer because you were not on active duty. In view of the

above, 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, VA 22134-5103

IN REPLY REFER TO:  
1412  
MMA-3  
APR 13 2009

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

Subj: ADVISORY OPINION IN THE CASE OF [REDACTED]

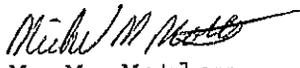
Ref: (a) MMR Route Sheet dtd 18 Mar 2009  
(b) SECNAVINST 1000.7E  
(c) [REDACTED] dtd 8 Dec 2008  
(d) Second Lieutenant Ross's ltr dtd 1 Dec 08

1. Reference b, specifically excludes the interservice transfer (IST) of Regular officers to a Reserve component or Reserve officers to the Regular component. Reference c, refers to SNO as a reserve officer.

2. Reference b, requires that all ISTs into the Marine Corps (reserve and active component) apply to the officer retention board. The officer retention board is a competitive board process with no guarantee of acceptance for the applicant.

3. Reference d and c, SNO voluntarily sought an Active duty commission despite being aware of the IST program.

4. It is this office's opinion that no injustice or error occurred in the case of this officer. Point of contact in this matter is [REDACTED]

  
M. M. Motley