



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

Docket No: 4080-09  
22 February 2010

[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.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 18 February 2010. 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 dated 9 June 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. 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, VA 22134-5103

IN REPLY REFER TO:

1800  
MMSR-5  
9 Jun 09

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

Subj: BCNR ADVISORY OPINION IN THE CASE OF [REDACTED]

Ref: (a) Chairman BCNR ltr BJG:jdh Docket No. 04080-09 of  
6 May 09

Encl: (1) Leave and Earning Statement for 1 - 30 April 2003  
(2) D600 Screen printout

1. The reference requests an advisory opinion on [REDACTED] petition to correct his record to reflect his separation from active duty effective 2 June 2003 vice 4 April 2003.

2. As shown in enclosures (1) and (2), [REDACTED] was separated from active duty on 4 April 2003. Per the separation code of K2 indicated in enclosure (2), this was upon the completion of his professional military schooling. Per the separation code of K4 assigned on 5 April 2003, he was then joined to his unit.

3. Based on the above, this Headquarters recommends [REDACTED] petition not receive favorable consideration.

4. Point of contact is Major Fenton at (703) 784-9306.

J. R. FENTON  
Acting Head, Separation and  
Retirement Branch  
By direction of the  
Commandant of the Marine Corps

JUN 12 2009