



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

SJN
Docket No: 10319-12
3 December 2012

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

Subj: REVIEW NAVAL RECORD OF [REDACTED]

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

Encl: (1) DD Form 149 with attachments
(2) Case Summary
(3) COMNAVRESFORCOM advisory opinion dtd 14 Sep 12

1. Pursuant to the provisions of reference (a), Petitioner, a former enlisted member of the Navy Reserve, filed enclosure (1) with this Board requesting that his administrative discharge of 25 March 2011 be removed from his Official Military Personnel File (OMPF). Additionally, he further requested that the record show he completed two Agreements to Extend Enlistment.

2. The Board, consisting of Mr. Exnicios, Mr. Pfeiffer, and Mr. Zsalman, reviewed Petitioner's allegations of error and injustice on 29 November 2012 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. Enclosure (3) is an advisory opinion from the Commander, Navy Reserve Forces Command recommending favorable action.

CONCLUSION:

Upon review and consideration of all the evidence of record, and especially in light of enclosure (3), the Board concludes that Petitioner's request warrants favorable action in the form of full relief.

After careful and conscientious consideration of the entire record, the Board concludes that Petitioner's administrative discharge of 25 March 2011 be removed from his OMPF. Further that his records show that he completed two Agreements to Extend Enlistment per enclosure (3).

RECOMMENDATION:

a. That Petitioner's Navy Reserve discharge completed on 25 March 2011 and all other documentation related to it be removed from his OMPF, making his End of Obligated Service (EOS) to read 25 November 2012, that his first extension be corrected to be made operative on 26 November 2010 with an EOS date of 25 November 2011, and his second extension signed on 31 March 2011 be corrected and made operative on 26 November 2011 with an EOS date of 25 November 2012.

b. That any material or entries inconsistent with or relating to the Board's recommendation be corrected, removed or completely expunged from Petitioner's record and that no such entries or material be added to the record in the future.

c. That any material direct to be removed from Petitioner's naval record be returned to this Board, together with a copy of this Report of Proceedings, for retention in a confidential file maintained for such purpose, with no cross reference being made a part of 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 a 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


BRIAN J. GEORGE
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 Regulation, 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.

A handwritten signature in cursive script that reads "Brian George".

BRIAN J. GEORGE
Head, Discharge Section