



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

BAN  
Docket No:NR08308-14  
29 September 2014

[REDACTED]

This is in reply to your request for reconsideration on 2 July 2014. A review of our files reveals that in April 2013, you petitioned this Board seeking to adjust your date of service in the Marine Corps Reserve to reflect that you were on active duty from 20 November 1996 to 23 May 1997.

On 13 August 2013, your case was presented to the Board and it was partially approved, see enclosure (1). However, you allege that you did not receive a copy of the partially favorable advisory opinion (A/O), since you did not agree with the approval dates. Therefore, in July 2014, you requested not only a copy of the A/O, but a reconsideration of your case based on new information and your response to the A/O.

As explained in the Board's previous partial approval letter, a case may only be reconsidered upon submission of new and material evidence. New evidence is defined as evidence not previously considered by the Board and not reasonably available to you at the time of your previous application. Evidence is considered to be material if it is likely to have a substantial effect on the outcome of the Board's decision. On 14 July 2014, your reconsideration request was approved.

Therefore, on 10 September 2014, a three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your reconsideration request. 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 (HQMC) memo 1800 MMSR-5 of 30 July 2013, a copy of

which was provided to you on 1 August 2014, and is being provided to you now, see enclosure (2). Additionally, the Board also considered your response to the A/O dated 26 August 2014.

Therefore, after careful and conscientious consideration of the entire record, the Board found that the evidence you submitted was insufficient to establish the existence of probable material error or injustice. In making this determination, the Board still concurred with the comments contained in the original advisory opinion. 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 evidence within one year from the date of the Board's decision. New evidence is evidence not previously considered by the Board prior to making its decision in this case. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records.

Sincerely,



ROBERT J. O'NEILL  
Executive Director

Enclosures