



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

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Docket No. 1068-21

Dear ■■■■■,

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 3 November 2021. The names and votes of the members of the panel will be furnished upon 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, relevant portions of your naval record and applicable statutes, regulations, and policies. In addition, the Board considered the advisory opinion contained in Headquarters Marine Corps memorandum 5420 MMEA of 30 March 2021; a copy of which was previously provided to you for comment.

You requested to establish eligibility to Involuntary Separations Pay (ISP). The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. However, the Board concluded that you did not meet the eligibility criteria for ISP in accordance with Department of Defense Instruction 1332.29 and Marine Corps Order 1900.16. These policies specify that service members are not eligible for ISP under circumstances resulting from performance, misconduct or other disciplinary reasons. A review of your record indicates you reenlisted on 24 November 2016 for a term of 4-years. Thereafter, you received several 6105 counseling entries regarding unauthorized absence, drunk on duty and remedial physical conditioning program. On 7 February 2020, you were administratively reduced to Sergeant/E-5 and discharged on 16 April 2020 due to unsatisfactory performance. In this connection, the Board substantially concurred with the comments contained in the advisory opinion.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not

previously presented to or 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, _____

12/3/2021

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Deputy Director

Signed by: █