



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

█
Docket No. 2675-21
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO █
XXX XX █ USMCR

Ref: (a) Title 10 U.S.C. § 1552
(b) DODI 1215.07

Encl: (1) DD Form 149 w/attachments
(2) HQMC memo 1000 RAP of 9 Jun 21
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his naval record be corrected to establish anniversary year ending 9 November 2017 as satisfactory.

2. The Board, consisting of █ and █ reviewed Petitioner's allegations of error and injustice on 22 June 2021 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, relevant portions of Petitioner's naval record, 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, found that, before applying to this Board, he exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

- a. On 22 July 2002, Petitioner signed a contract in the U.S. Marine Corps Reserve (USMCR).
- b. On 5 December 2002, Petitioner issued Active Duty for Training (ADT) orders to █ to report on 19 January 2003.
- c. On 20 March 2003, Petitioner was disenrolled from the █ and discharged.
- d. On 10 November 2004, Petitioner signed a contract in the USMCR.
- e. On 29 April 2005, Petitioner issued ADT orders to █ to report on 5 June 2005.

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f. On 12 August 2005, Petitioner discharged to accept a Reserve commission; however, NAVMC 763, U.S. Marine Corps Appointment Acceptance and Record indicates Petitioner accepted an active duty commission.

g. On 16 July 2011, Petitioner was released from active duty and was transferred to the USMCR.

h. On 11 April 2021, Petitioner's anniversary begin date was changed from 19 January to 10 November.

i. In correspondence attached as enclosure (2), the office having cognizance over the subject matter addressed in Petitioner's application has commented to the effect that the request has merit and warrants favorable action.

CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action. Petitioner's anniversary year was improperly established as the date initially entered active duty vice the date of reentry to USCMR per reference (b). Upon the Marine Corps correcting the anniversary date to 10 November, Petitioner's points were redistributed. The redistributed points resulted in Petitioner not having the minimum 50 points for a satisfactory year for anniversary year ending 9 November 2017. The Board felt, under these circumstances, relief is warranted.

RECOMMENDATION

That Petitioner's naval record be corrected, where appropriate, to show that:

Ten (10) Inactive Duty Correspondence Points were transferred from anniversary year ending 9 November 2018 to anniversary year ending 9 November 2017.

Note: This change will result in a satisfactory year of service for anniversary year ending 9 November 2017.

A copy of this Report of Proceedings will be filed in Petitioner's naval record.

4. 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.

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 Regulations, Section 723.6(e)), and having assured compliance with its provisions, it is hereby announced that the foregoing

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corrective action, taken under the authority of the reference, has been approved by the Board on behalf of the Secretary of the Navy.

7/26/2021

[REDACTED]

Deputy Director

Signed by: [REDACTED]