

DEPARTMENT OF THE NAVY

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

> Docket No. 6095-21 Ref: Signature Date

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 21 December 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.

On 23 August 2006, you enlisted in the U.S. Marine Corps Reserves. On 17 December 2008, you signed an Officer Appointment Acceptance and Record (NAVMC 763) and were appointed a Second Lieutenant in the U.S. Marine Corps with a present grade date of 17 December 2008. Furthermore, you were in the Navy Reserve Officers Training Program (NROTC) program as a midshipman from 23 August 2006 to 16 December 2008. On 5 January 2009, you entered active duty, and on 1 November 2016, you were honorably released from active duty and transferred to the Marine Corps Reserve.

You requested the restoration of a satisfactory year lost due to a correction to your anniversary year; 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 no error exists in your record. When your anniversary year was corrected to reflect 17 December 2008, and although you unfortunately lost a qualifying year, the correction was done in accordance with MCO 1001R.1K. In the case of officers with Reserve service as a cadet or midshipman at a Service Academy or in a ROTC (Reserve Officers Training Corps) program, the date for the start of a member's initial anniversary year will be established as the date the member entered into active service or active status minus any service as a cadet or midshipman.

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.

Sincerel	v.
Sincerer	· ,

1/31/202	2
Deputy Director	