



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

█
Docket No. 6168-21
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.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 30 June 2022. 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 by Headquarters Marine Corps memorandum 1820 MMSR-5 of 18 May 2022 which was previously provided to you for comment.

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

You requested to establish entitlement to a Reserve retirement by crediting drill points and Annual Training attendance for anniversary years ending 22 August 1956, 22 August 1970, and 22 August 1971. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. The Board concluded that your record provided no evidence that you obtained the minimum 50 points required for each of the requested anniversary years. Specifically, your record reflects you earned a total of 48 points

for anniversary year ending 22 August 1956. On 20 February 1970 you transferred to Class III Reserves (currently the Individual Ready Reserve) based on your request. For anniversary year ending 22 August 1970, you earned 31 points to include 15 membership points, however, in accordance with Marine Corps Order 1900.16, you should have only received 7 points as 15 membership points can only be earned for an entire year of service. Lastly, your record does not contain evidence of any drills or Annual Training participation for anniversary year ending 22 August 1971. 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,

7/8/2022

█

Deputy Director

Signed by: █