



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

██████████
Docket No. 7497-21

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████████████████████
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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 20 January 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 contained in Community Management Support Branch memo 1160 Ser B328/128 of 29 November 2021.

On 10 November 2015, you entered active duty for 4 years with an End of Active Obligated Service (EAOS) of 9 November 2019 and Soft End of Active Obligated Service (SEAOS) of 9 November 2020. On 15 January 2019, you were issued official change duty orders (BUPERS order: 0159) with a required obligated service to March 2023, while stationed in ██████████ with an effective date of departure of August 2019. Your ultimate activity was ██████████ ██████████ for duty – under instruction with an effective date of arrival of 4 September 2019. On 7 March 2019, you signed an agreement to extend enlistment for 28 months with an EAOS of 9 March 2023 in order to incur sufficient obligated service to execute BUPERS order 0159. On 12 August 2019, you transferred from ██████████ and arrived to ██████████ on 27 August 2019 for duty.

In accordance with CURRENT Career School Listing (CSL) published on 1 July 2020, a Rating/NEC HM/ L30A (Histopathology Tech) with and obliserv of 5 years was listed with the following notes: MPM 1160-100 outlines the OBLISERV requirements for Selective Training and Reenlistment (STAR) program reenlistment.

In September 2020, you earned NEC L30A (Histopathology Tech). On 12 November 2020, you were issued official change duty orders (BUPERS order: 3170) with a required obligated service to December 2023, while stationed in [REDACTED] with an effective date of departure of November 2020. Your ultimate activity was Naples, Italy for duty with an effective date of arrival of 18 December 2020. On 5 February 2021, you were issued official modification to change duty orders (BUPERS order: 3170), while stationed in [REDACTED] with an effective date of departure of February 2021. Your ultimate activity was [REDACTED] for duty with an effective date of arrival of 8 March 2021. On 12 February 2021, you transferred from [REDACTED] and arrived to [REDACTED] on 20 February 2021 for duty. On 30 July 2021, you signed a Special Request/Authorization requesting conditional release from the U.S. Navy for inter-service transfer to the U.S. Army, and it was approved by cognizant authority on 4 August 2021.

You requested your record reflect that you reenlisted on 1 August 2021 under the STAR program; 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 provide any documentation showing that you intended to reenlist. You did provide documentation where you had requested to be released from the Navy to affiliate with another branch of service. Your Career Waypoint Individual Career Development Plan (ICDP) of 21 July 2021 reflects that your intention was to separate from the Navy to affiliate with the Army. 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,

[REDACTED]
2/4/2022

[REDACTED]