



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

█  
Docket No. 2832-22  
Ref: Signature Date

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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 14 July 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, 17 May 2022 which was previously provided to you for comment.

You requested recalculation of reserve retirement points to be eligible for a reserve retirement. 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 do not meet the eligibility criteria for a reserve retirement in accordance with Marine Corps Order 1900.16. Specifically, the policy indicates you have to be a member of the Reserve component to garner a non-regular retirement. A review of your record indicates you entered active duty on 8 November 1989 and transferred to the Temporary Disability Retired List effective 1 March 2007. Subsequently, a previous Board [Docket No. 4817-12] authorized your transfer to the Permanent Disability Retired List effective 1 March 2012. The Board noted that the retirement annuity system reflects your retirement with 17 years, 3 months, and 23 days of active duty service with a Department of Defense 30% disability rating. 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,

7/26/2022

[REDACTED]

Deputy Director

[REDACTED]