



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

██████████  
Docket No. 4365-22  
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 4 August 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 Community Management Support Branch memorandum 1160 Ser B328/065 dated 16 June 2022, which was previously provided to you. You were afforded an opportunity to submit a rebuttal, but did not do so.

On 17 October 2018, you entered active duty for 4 years with an End of Active Obligated Service of 16 October 2022 and Soft End of Active Obligated Service (SEAOS) of 16 October 2023.

On 14 November 2018, you were issued official change duty orders (BUPERS order: 3188) while stationed in ██████████ with an effective date of departure of December 2018. Your intermediate (1) activity was ██ for temporary duty under instruction with an effective date of arrival of 18 December 2018.

On 14 December 2018, you transferred from ██, and arrived to ██████████ on 14 December 2018 for temporary duty.

On 4 March 2019, you were issued official modification to change duty orders (BUPERS order: 3188) with required obligated service to April 2024, while stationed in ██████████ with an effective date of departure of December 2018. Your intermediate (1) activity was ██ for temporary duty under instruction with an effective date

of arrival of 18 December 2018. Your ultimate activity was [REDACTED] for duty with an effective date of arrival of 27 April 2019 with a PRD of April 2024. Furthermore, obligated service to April 2024 is required for this assignment which may be satisfied by reenlistment or extension of enlistment. OBLISERV must be obtained within 30 days of receipt of these orders and prior to transfer. Advise PERS-40 within 30 days of receipt of these orders if member does not desire to obligate.

On 5 April 2019, you transferred, and arrived to [REDACTED] on 8 April 2019 for duty.

On 15 April 2019, you were issued official modification to change duty orders (BUPERS order: 3188) with required obligated service to April 2024, while stationed in [REDACTED] with an effective date of departure of December 2018. Your intermediate (1) activity was [REDACTED] [REDACTED] for temporary duty under instruction with an effective date of arrival of 18 December 2018. Your ultimate activity was [REDACTED] for duty with an effective date of arrival of 27 April 2019 with a Projected Rotation Date (PRD) of April 2024.

On 3 August 2022, your Electronic Service Record (ESR) showed that a 6 months extension was submitted to corporate on 1 August 2019 with an SEAOS of 16 April 2024.

You requested permission to remove a 6 months extension for the period of 17 October 2023 to 16 April 2024; the Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertion that you did not sign the extension. According to BUPERS order 3188, you were required to obligate service out to April 2024, through reenlistment or extension of enlistment within 30 days of receipt of orders and prior to transfer. The Board majority concluded that although you did not obligate prior to transfer, as directed in your orders, you also did not advise PERS-40 that you did not wish to obligate. By executing your orders, you accepted the requirement to obligate to April 2024, therefore, your 6-month extension is valid. 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,

8/15/2022

[REDACTED]  
Deputy Director  
[REDACTED]