



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

█
Docket No: 5723-22
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.

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 application on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 7 November 2022. The names and votes of the panel members 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 the 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, to include the 25 July 2018 guidance from the Under Secretary of Defense for Personnel and Readiness regarding equity, injustice or clemency determinations (Wilkie Memo).

You enlisted in the Marine Corps Reserves (USMCR) and began a period of active service on 20 September 1974. On 27 January 1975, you were honorably discharged by reason of completion of required active duty service (IADT). On 14 September 1980, you reenlisted in the USMCR. On 13 September 1986, you were honorably discharged by reason of completion required USMCR obligation. On the same date, you were issued a Certificate of Discharge from the USMC (DD 256 MC) reflecting a discharge date of 13 September 1986. On 29 July 1992, you were issued a Certification of Military Service from the National Personnel Record Center (NARA) reflecting a discharge date of 13 September 1986.

The Board carefully considered all potentially mitigating factors to determine whether the interests of justice warrant relief in your case in accordance with the Wilkie Memo. These included, but were not limited to, your desire change your discharge date from the USMCR. You contend your discharge date is causing issues with your claims. The Board reviewed the

documents you provided with your application. Based upon this review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. The Board noted, outside of your statements, you failed to provide sufficient evidence to support adjustment to your discharge date. The Board determined based on the record, you were issued the correct discharge date of 13 September 1986 on your Discharge Certificate. The Certification of Military Service you provided with your application also accurately documents your initial period of active duty for training. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

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,

11/30/2022

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Executive Director

Signed by: █