



Subj: REVIEW OF NAVAL RECORD ICO FORMER MBR [REDACTED],  
USN, XXX-XX-[REDACTED]

e. On 25 July 2019, Petitioner signed a Regular Evaluation Report and Counseling Record for the period of 16 March 2019 to 27 July 2019. This was a Detachment of Individual report and he received Promote and Retention recommendations. Leave: 19 May 2019 to 19 July 2019.

f. Petitioner was discharged with an honorable character of service and was issued a Certificate of Release or Discharge from Active Duty (DD Form 214) for the period of 6 April 2010 to 27 July 2019 upon completion of required active service.

g. On 29 July 2019, Petitioner was charged terminal leave for the period of 21 May 2019 to 19 July 2019 (60 days), however, the Master Military Pay Account entry was deleted.

h. On 31 July 2019, Petitioner was charged terminal leave for the period of 21 May 2019 to 27 July 2019 (68 days). Furthermore, on 1 October 2018, 51 days were brought forward. Petitioner earned 25 days, however, Petitioner was charged 80 days resulting a negative leave balance of 4.5 days (not accrued 0.5 days).

i. On 1 August 2019, Separation Worksheet was created. Petitioner was charged leave from 21 May 2019 to 19 July 2019. Ending leave balance from prior Leave and Earnings Statement was -7.0. Furthermore, total overpaid at separation was \$1,091.57.

j. On 10 August 2022, Commanding Officer, [REDACTED] notified Transaction Support Center Norfolk that the following information is provided for Petitioner is to clarify leave dates taken prior to processing out of the military. Petitioner was inaccurately charged leave from 21 May 2019 through 27 July 2019. This error has caused an out of service debt for Petitioner, requesting the dates be corrected to rectify the problem. He took ordinary leave beginning at 1530, 20 May 2019 through 2359 on 19 July 2019, for a total of 60 days as indicated in block 13.

## CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of reference (b)<sup>1</sup> and enclosure (2),<sup>2</sup> the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that Petitioner requested and was approved for ordinary annual leave to begin at 1530 on 20 May 2019 through 2359 on 19 July 2019, and that in accordance with Commanding Officer's letter and his Regular Evaluation Report and Counseling Record, Petitioner returned from his ordinary annual leave as approved.

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<sup>1</sup> Reference (b), leave accrues to a Service member serving on active duty for 30 days or more. It accrues at the rate of two and half (2.5) days for each month of active service, excluding periods of absence from duty without leave, periods of confinement resulting from a court-martial, and periods of leave required to be taken pending review of a court-martial conviction. For partial months, it accrues at the rate of .5 day for any period of 6 days or less.

<sup>2</sup> Enclosure (2), the office having cognizance over the subject matter addressed in Petitioner's application has commented to the effect that the request has merit and warrants favorable action.

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## RECOMMENDATION

That Petitioner's naval record be corrected, where appropriate, to show that:

Petitioner was charged ordinary leave for the period of 21 May 2019 to 19 July 2019 (60 days)  
vice terminal leave for the period of 21 May 2019 to 27 July 2019 (68 days).

Note: Defense Finance and Accounting Service (DFAS) will complete an audit of Petitioner's records to determine if Petitioner is due any back pay and allowances.

A copy of this Report of Proceedings will be filed in Petitioner's naval record.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above-entitled matter.

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)), and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of the reference, has been approved by the Board on behalf of the Secretary of the Navy.

[REDACTED]

Deputy Director

Signed by: [REDACTED]