



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

█  
Docket No. 6757-22  
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 3 November 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.

You were discharged with an honorable character of service and were issued an Armed Forces of the U.S. Report of Transfer or Discharge (DD Form 214) for the period of 3 July 1972 to 7 August 1972 upon resignation from the U.S. Military Academy at █

On 18 February 1975, you enlisted in the U.S. Marine Corps Reserve for 6 years. Furthermore, you signed a Service Agreement Platoon Leaders Class (Naval Flight Officer). Your Pay Entry Base Date was established this date.

On 16 June 1976, Acting Head, Platoon Leaders Class Unit, Officer Procurement Section, Military Personnel Procurement Branch notified Head, Appointment Section that you were a graduate of the Platoon Leaders Class and you were qualified for appointment to commissioned grade.

On 17 July 1976, you signed a United States Marine Corps Appointment Acceptance and Record (NAVMC 763) in the U.S. Marine Corps Reserve as a Second Lieutenant under the PLCNFO program. You were discharged with an honorable character of service and were issued a Report of Separation from Active Duty (DD Form 214MC) for the period of 1 October 1976 to 5 March 1979 upon acceptance of regular commission.

On 6 March 1979, you signed a NAVMC 763 in the U.S. Marine Corps as a First Lieutenant upon Augmentation to the Regular Marine Corps. You were discharged with an honorable character of

service and were issued a DD Form 214 for the period of 6 March 1979 to 31 January 1985 upon acceptance of resignation of regular commission in the U.S. Marine Corps and appointment in the Marine Corps Reserve.

On 1 February 1985, you signed a NAVMC 763 in the U.S. Marine Corps Reserve as a Captain upon acceptance of resignation of regular commission in the U.S. Marine Corps and appointment in the Marine Corps Reserve. You were retired with an honorable character of service and were issued a DD Form 214 for the period of 16 May 1986 to 28 February 2003 (Effective 1 March 2003) upon having sufficient service for retirement.

In accordance with DoD 7000.14-R FMR Volume 7A, Chapter 1, Service as a cadet or midshipman at a military academy is always creditable service for an enlisted member who is not commissioned. For a prior service member, he/she reverts back to his/her enlisted status to complete their enlistment contract. See Table 1-1 to determine whether such service is creditable for commissioned and warrant officers.

Table 1-1. Service as Cadet or Midshipman – Officers. When a member currently serving as an officer has had service as a cadet or midshipman in any of the military academies to which appointed and member held no concurrent enlisted and/or Reserve status then the period involved is not creditable.

You requested correction of active service time for retired pay purposes include an additional 1 month, 5 days of active service as a cadet at the US Military Academy, █, in 1972. 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 in accordance with DoD 7000.14-R FMR, service as a cadet or midshipman at a military academy is not creditable, therefore, it is not included in your retired pay calculation.

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,

11/7/2022

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Deputy Director  
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