



due to not being retired/eligible, (2) you did not realize you had to be retired from the military and thought your retirement pay would be issued once you turned 62, and (3) your reenlistment code is incorrect. For purposes of clemency and equity consideration, the Board noted you did not provide supporting documentation describing post-service accomplishments or advocacy letters.

After thorough review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined, during your separation processing and in accordance with separation regulations at the time of your discharge, you were granted involuntary separation pay which is intended to assist Marines who are denied further service in making the transition to civilian life. Additionally, you were assigned the corresponding reenlistment code for Marines denied further service. Finally, the Board relies on a presumption of regularity to support the official actions of public officers and, in the absence of substantial evidence to the contrary, will presume that they have properly discharged their official duties. Therefore, based on the lack of any evidence that supports a finding that your reentry code was issued erroneously, the Board determined it is correct. Even in light of the Wilkie Memo and reviewing the record holistically, the Board did not find evidence of an error or injustice that warrants granting you the relief you requested or granting relief as a matter of clemency or equity. 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 the 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,

2/12/2023

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Executive Director

Signed by: █