



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

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Docket No. 5087-23
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 10 October 2023. 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 Headquarters Marine Corps RAP of 28 July 2023, which was previously provided to you. You were afforded an opportunity to submit a rebuttal, but did not do so.

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

You requested 15 points be waived or credited to anniversary year ending 14 August 2007. 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 Marine Corps Order 1001R.1J a Marine must earn a minimum of 50 points per anniversary year and serve a full 365/366-day period to complete a qualifying year for retirement purposes. Included in the minimum 50 points per anniversary year is 15 membership points and points for completed drills and correspondence courses.

A review of your record indicates your anniversary year starts on 15 August and ends 14 August annually. On 7 August 2006, you sustained an ankle injury. You completed drills on

8 September 2006 to 10 September 2006 and earned six points. On 1 May 2007, you were returned to full duty. Thereafter you executed Annual Training orders from 8 July 2007 to 21 July 2007, earning 14 points. You were awarded 15 membership points, thereby earning 35 total points for anniversary year ending 14 August 2007. The Board noted that you failed to drill in May 2007 through August 2007. Additionally, you did not complete any correspondence courses to garner points that would have assisted you in earning a qualifying year for retirement. Therefore, the Board agreed that you had sufficient opportunity to earn a satisfactory year and a change to your record is not warranted. 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,

10/20/2023

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Deputy Director

Signed by: █