



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

█
Docket No. 5485-23
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.

A three-member panel of the Board, sitting in executive session, considered your application on 24 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 contained in Navy Personnel Command letter 5720 PERS-91 of 3 August 2023; a copy of which was previously provided to you for comment.

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 your active date be adjusted to 4 January 2009. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. However, upon review of your record, the Board concluded that you were issued BUPERS Mobilization Order: █ on 1 December 2008 and directed to report no later than Friday, 9 January 2009. You executed the mobilization orders on 7 January 2009 and reported to Navy Mobilization Processing Site █. On 18 December 2009, you were issued BUPERS Demobilization Order: █ to detach no later than 22 June 2010. Thereafter, you were released from active duty and transferred to the Navy Reserve on 27 May 2010. The Board could not find, nor did you provide evidence to reflect that you executed BUPERS Mobilization Order: █ on 4 January 2009 vice 7 January 2009, therefore a change to your record is not warranted.

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,

10/31/2023

[REDACTED]

Deputy Director

Signed by: [REDACTED]