



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

██████████  
Docket No. 6516-23  
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 26 September 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 the Branch Head, Community Management Support Branch BUPERS-328 of 8 August 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.

On 18 December 2018, you entered active duty for 4 years with an end of active obligated service (EAOS) of 17 December 2022 and Soft EAOS (SEAOS) of 17 December 2023.

On 17 May 2021, you were issued official change duty orders (BUPERS order: 1371) with required obligated service to December 2024, while stationed in ██████████, ██████████ with an effective date of departure of September 2021. Your intermediate (01) activity was ██████████, ██████████ for temporary duty – under instruction with an effective date of arrival of 10 October 2021. Your ultimate activity was ██████████, ██████████ for duty with an effective date of arrival of 31 December 2021 with a projected rotation date of December 2024. Obligated service must be

obtained within 30 days of receipt of these orders and prior to transfer. Advise PERS-40 within 30 days of receipt of these orders if member does not desire to obligate.

Navy Standard Integrated Personnel System shows that a 12-month agreement to extend enlistment posted on 16 August 2021 with a SEAOS of 17 December 2024.

On 16 September 2021, you transferred from █, and arrived to █ on 11 October 2021 for temporary duty.

On 15 December 2021, you transferred from █, and arrived to █ ON 30 December 2021.

You requested to correct your SEAOS from 17 December 2024 to 17 December 2023, the Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. You assert that you submitted request for a 12-month extension, however you have not signed or received a contract and you no longer wish to do so. However, the Board concluded that you were in receipt of BUPERS order: 1371 with required obligated service to December 2024. Obligated service must be obtained within 30 days of receipt of these orders and prior to transfer. A 12-month extension of enlistment was processed on 16 August 2021 and you executed your orders on 16 September 2021. Since you have executed your orders, you are not eligible to cancel said extension. 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,

10/5/2023

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