

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED].
[REDACTED] XXX XX [REDACTED] USMC (RET)

d. On 27 February 2023, Petitioner transferred to the PDRL.

e. In the advisory opinion, attached as enclosure (2), the office having cognizance over the subject matter addressed in Petitioner's application has commented to the effect that the Petitioner's TERA request was not received, however Petitioner did meet the minimum requirements to be retired under TERA.

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting the following corrective action. The Board concluded Petitioner met the requirement to be retired via TERA in accordance with reference (b). The Board determined Petitioner provided sufficient evidence to reflect his intent to transfer to the Fleet Marine Corps Reserve vice transfer to PDRL. However, as a result of administrative oversight, Petitioner's request was not received by Headquarters Marine Corps (MMSR-4) for consideration. Therefore, the Board determined that under this circumstance, relief is warranted.

RECOMMENDATION

That Petitioner's naval record be corrected, where appropriate, to show that:

Petitioner's NAVMC 10274, Administrative Action request for Fiscal Year 2023 Marine Corps TERA was received and approved by cognizant authority prior to 27 February 2023

Petitioner transferred to the "Fleet Marine Corps Reserve" vice PDRL on 27 February 2023.

Note: Headquarters, U.S. Marine Corps will issue a DD Form 215 or a new DD Form 214, whichever one they deem appropriate, that reflects the Board's corrective action.

A copy of this Report of Proceedings will be filed in Petitioner's naval record.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above-entitled matter.

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)), and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of the reference, has been approved by the Board on behalf of the Secretary of the Navy.

10/26/2023

[REDACTED]

Deputy Director

Signed by: [REDACTED]