



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

[REDACTED]
Docket No. 8673-23
Ref: Signature Date

[REDACTED]
[REDACTED]
[REDACTED]

Dear [REDACTED]

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 15 February 2024. 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 Headquarters, U.S. Marine Corps (HQMC) memorandum 5420 MMEA of 1 November 2023, which was previously provided to you for comment.

On 8 July 2019, you entered active duty for 5 years with an End of Current Contract (ECC) of 7 July 2024. On 1 April 2020, you were promoted to Lance Corporal/E-3. On 10 February 2021, you were assigned Primary Military Occupational Specialties 4541.

On 13 October 2022, you were issued Marine Corps Basic Order for involuntary assignment to [REDACTED] (Monitored Command Codes (MCC) 1Y1)) for duty with an estimated detach date of 1 May 2023 and a report no later than 31 May 2023. Furthermore, "Per MCO P1300.8R para 1102.2 subject named Marine must have 2 years obligated service upon arrival at the gaining duty station".

On 3 April 2023, your First Term Active Duty Extension request and was approved by HQMC on 4 April 2023. On 4 April 2023, you signed an agreement to extend enlistment for 11 months with an End of Active Service (EAS) of 7 June 2025 in order to have sufficient obligated service to [REDACTED]

On 5 April 2023, you transferred from [REDACTED] and arrived to [REDACTED] on 4 May 2023 for duty.

You requested to cancel your 11-month extension, 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 you were issued orders to MCC 1Y1 with a tour length of 12 months and an NLT date of 31 May 2023. However, the body of the order states that you were required to have 2 years obligated service upon arrival at the gaining duty station. Your ECC of 7 July 2024 necessitated an 11-month extension to meet the obligated service requirement; on 4 April 2023, you executed an 11-month extension to meet the obligated service and you were gained at your new duty station on 4 May 2023. The Board determined that you executed an extension of enlistment to comply with your orders and those orders have been executed; therefore, no change to your record is 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,

2/22/2024

[REDACTED]