



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

BJG
Docket No: 2219-00
30 June 2000

CAPT [REDACTED] USMCR
[REDACTED]
[REDACTED]

Dear Captain [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 29 June 2000. 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, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by Headquarters Marine Corps, dated 17 May 2000, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion concerning your anniversary year 19 June 1995 to 18 June 1996. Regarding your anniversary year 19 June 1992 to 18 June 1993, they did not agree with the advisory opinion's recommendation to transfer two points from your anniversary year 19 June 1991 to 18 June 1992. They noted that you provided no evidence as to the dates of your annual training duty, so they could not determine that your credit for that duty had been assigned to the wrong year. In view of the above, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously 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,

W. DEAN PFEIFFER
Executive Director

Enclosures

2219-00



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
3280 RUSSELL ROAD
QUANTICO, VIRGINIA 22134-5103

IN REPLY REFER TO:
1001
MMSR-5J
17 May 00

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Subj: BCNR APPLICATION IN THE CASE OF CAPTAIN [REDACTED]
[REDACTED] USMCR

Ref: (a) MMER Route Sheet of 24 Apr 00, Docket [REDACTED]
(b) Captain [REDACTED] DD Form 149 of 23 Mar 00

1. We have reviewed reference (a) and provide the following
recommendation:

a. Recommend Captain [REDACTED] be awarded two points for the
anniversary year 19920619 to 19930618 (new total 50 points) from the
anniversary year 19910619 to 19920618 (new total 89 points).

b. Recommend Captain [REDACTED] not be awarded the seven points he
requested for the anniversary year 19950619 to 19960618 from the
anniversary year 19960619 to 19970618.

2. Unfortunately, Captain [REDACTED] failure to attain fifty points
during the anniversary year 19950619 to 19960618 was the result of his
not actively participating during this period and not as a result of
the drill accounting process he outlines in reference (b), paragraph
nine.

[REDACTED]

Head, Separation and
Retirement Branch
By direction of the Commandant
of the Marine Corps