



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

[REDACTED]
Docket No. 5576-17
MAR 20 2018

[REDACTED]
Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of 10 USC 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 9 February 2018. 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. The advisory opinion provided in Headquarters, U.S. Marine Corps memorandum 7200 RFF dated 13 November 2017 was sent to you on 3 January 2018 for an opportunity to comment prior to being considered by the Board. A copy of this advisory opinion is again enclosed. After the 30 day period for comment expired without a response, the case was presented to the Board.

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. You assert that you should have been afforded the opportunity to sellback 15.5 days of unsold Lump Sum Leave upon your discharge on 5 June 2015. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. Nevertheless, it was determined that there was no evidence to support your claim that 15.5 days of leave was never paid to you upon discharge from the U.S. Marine Corps. Your Certificate of Release or Discharge from Active Duty, Leave and Earning Statement and Marine Corps Total Force System Leave Statement reflect 15.5 days of Lump Sum Leave was sold back to you upon discharging from the U.S. Marine Corps. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied.

It is regretted that the circumstances of your case are such that favorable action cannot be taken at this time. You are entitled to have the Board reconsider its decision upon the submission of new and material evidence. New evidence is evidence not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all

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Executive Director