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## DEPARTMENT OF THE NAVY

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

> Docket No. 6182-24 Ref: Signature Date



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.

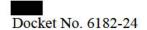
A three-member panel of the Board, sitting in executive session, considered your application on 8 October 2024. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures 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.

On 4 October 1994, you enlisted in the U.S. Marine Corps Reserve for 8 years. Furthermore, you signed Service Agreement (1100) Officer Candidate (Ground).

On 21 December 1994, Commandant of the Marine Corps notified you that "[y]our application for the Officer Candidate Course has been considered by a board of officers convened at this Headquarters, and it is a pleasure to inform you that you have been selected for participation in the subject program."

"You are assigned to extended active duty in excess of 90 days on such date as will enable you to report between 0800 and 1800 on 8 January 1995 to the Commanding Officer,	
under instruction in the Officer Candidate Course program.	Further assignment will be
directed by the Commanding Officer,	per your current service
agreement."	SC015 95

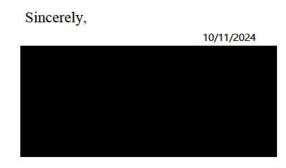
You were discharged with an honorable character of service and were issued a Certificate of Release or Discharge from Active Duty (DD Form 214) for the period of 8 January 1995 to 16 March 1995 upon accepting commission in same branch of service (Accept appointment in USMCR). On 17 March 1995, you signed a United States Marine Corps Appointment Acceptance and Record (NAVMC 763) in the U.S. Marine Corps Reserve as a Second Lieutenant under the OCC158



program. You were released from active duty with an honorable character of service and were issued a DD Form 214 for the period of 4 October 1994 to 15 January 1999 upon completion of required active service (USMCR) EOS. On 16 January 1999, you were transferred to the Individual Ready Reserve. On 25 May 1999, Commandant of the Marine Corps notified Commanding General, MCRSC that the following change to NAVMC 763 had been recorded in your record: Item 17: Sinstead of Litem 21: Per reference (b) [DODFMR Volume 7A], creditable for pay purposes service from Litem 21: Description is not creditable for pay purposes. On 22 November 1999, the Defense Finance and Accounting Service (DFAS) an Estimated Earnings During Military Service (For Civil Service Retirement Purposes) with the following period of service: "8 January 1995 to 31 December 1998" and "1 January 1999 to 15 January 1999." On 3 September 2008, Commandant of the Marine Corps notified you that, "[p]er the reference and by direction of the President, your resignation from the Marine Corps Reserve is accepted, effective 1 February 2009."

You requested to correct the My Estimated Earnings During Military Service document issued by the DFAS to show your full dates of service, the Board in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. You assert that your DD Form 214 with a separation date this period of 15 January 1999 correctly lists your service as 4 October 1994 to 15 January 1999 and that your DFAS document is incorrect. However, the Board concluded that on 4 October 1994, you enlisted in the U.S. Marine Corps Reserve and did not enter active duty service until 8 January 1995 when you were joined to Officer Candidates School. You served continuously on active duty until 15 January 1999. The Board determined that the document you requested to be change is correct as issued. Furthermore, the Board could not direct a change to said document even if it were warranted because it is not within the Board's authority to correct documents issued by the DFAS and/or other agencies. Finally, the error is with your DD Form 214 of 15 January 1999; block 12a (date entered AD this period) should list 17 March 1995 vice 4 October 1994. However, the Board did not correct this error because you did not request said change to your DD Form 214. If you wish to correct your DD Form 214, you should first contact Headquarters, U.S. Marine Corps (MMPB-2) at 2008 Elliot Road, Quantico, VA 22134-5030 or by email at smb.manpower.mmrp-10@usmc.mil.

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.



<sup>&</sup>lt;sup>1</sup> Note: A DD Form 214, Certificate of Release or Discharge from Active Duty is only issued for active duty service.