



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

██████████
Docket No. 9355-24
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO FORMER MEMBER ██████████
XXX XX ██████████ USMCR

Ref: (a) Title 10 U.S.C. § 1552
(b) MCO 1900.16F

Encl: (1) DD Form 149 w/attachments
(2) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his naval record be corrected to remove discharge and replace with Reserve retirement.

2. The Board, consisting of ██████████, ██████████, and ██████████ reviewed Petitioner's allegations of error and injustice on 3 December 2024 and pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of Petitioner's naval record, and applicable statutes, regulations, and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, found that, before applying to this Board, he exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. On 20 January 2018, Petitioner reenlisted for 4 years and thereafter extended for an aggregate of 9-months. Reserve End of Current Contract (RECC): 19 October 2022.

b. On 14 March 2018, Petitioner issued a Notification of Entitlement to Retired Pay at age 60 and Eligibility to Participate in the Reserve Component Survivor Benefit Plan.

c. On 19 October 2022, Petitioner discharge from USMCR with 22 years of qualifying service.

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an error warranting the following corrective action. Petitioner met the eligibility criteria to transfer to the Retired Reserve awaiting pay at age 60 in accordance with reference (b) but failed to

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XXX XX [REDACTED] USMCR

request retirement prior to the expiration of his contract, resulting in discharge at RECC. Although Petitioner did not complete the proper administrative requirements, the Board determined that under this circumstance, relief is warranted.

RECOMMENDATION

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

Petitioner was approved to transfer to the Retired Reserve Awaiting Pay at Age 60 effective 1 October 2022 vice discharged on 19 October 2022.

Note: Headquarters Marine Corps (MMSR-5) shall determine when Petitioner is eligible to transfer to the Retired Reserve with pay and provide direction on submitting application for retired pay when eligible.

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 titled 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.

12/18/2024

