



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

TRG
Docket No: 3779-01
24 April 2002

[REDACTED]

[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 23 April 2002. 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 15 June 2001, a copy of which is enclosed and your rebuttal thereto dated 11 August 2001.

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. The Board was aware that there may have been problems with the crediting of retirement points in the early 1980's. However, the Board believed that you should not have waited for 20 years to request a correction to your record to make the anniversary year ending 5 June 1981 qualifying for reserve retirement. The Board was aware that there is a fitness report gap in the record for that anniversary year and there is nothing else in the record to support the crediting of retirement points for that period. Therefore, the Board substantially concurred with the comments contained in the advisory opinion.

Accordingly, 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

Enclosure



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

IN REPLY REFER TO:

1600
CMT
15 June 2001

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

Subj: RESERVE AFFAIRS ADVISORY OPINION ON BCNR APPLICATION;
CASE OF [REDACTED]

Ref: (a) BCNR ltr TRG/Docket No: 3779-01 dtd 4 Jun 01
(b) MCO P1080.40A Marine Corps Total Force System
Personnel Reporting Instructions Manual (MCTFSPRIM)

1. Per reference (a), recommend [REDACTED] request to add 16 reserve retirement credit points to anniversary year 19800606-19810605 be denied. The following justification is provided.

2. Per reference (b), changes to a Career Retirement Credit Report "must be accompanied by supporting documentation (muster sheets, orders, or historical NAVMC 798) to substantiate any correction". [REDACTED] has provided no supporting documentation. A review of Colonel [REDACTED] record indicates a date gap from 19790730-19810409.

3. If proper documentation to support the entry of the reserve retirement credit points is provide [REDACTED], this request will be reconsidered.

4. Point of contact is Major [REDACTED] at (703) [REDACTED].

[REDACTED]
By direction