



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

MEH
Docket No. 3861-09
29 Jun 09

[REDACTED]

Dear [REDACTED]

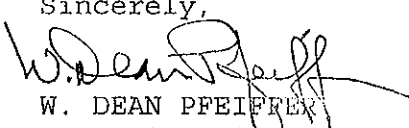
This is in reference to your application for correction of your naval record pursuant to the provisions of 10 USC 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 29 June 2009. 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 CMC memo 1070 MMSB-13 of 4 Jun 09, 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. 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 also 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
PERSONNEL MANAGEMENT SUPPORT BRANCH (MMSB)
2008 ELLIOT ROAD
QUANTICO, VA 22134-5030

IN REPLY REFER TO

1070
MMSB-13
4 Jun 2009

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

Subj: ADVISORY OPINION; CASE OF [REDACTED]

1. The information contained in [REDACTED] application is not sufficient to justify a correction of Home of Record. Specifically, page 2 of DD Form 4 (Enlistment Contract) signed by [REDACTED] on 18 March 2003 verifies his Home of Record upon entry as [REDACTED]. If he can furnish evidence such as owning of a home or paying property taxes, voting registration or other proof of residence at the desired home of record prior to entry on the relevant tour of active duty which began 18 March 2003, further consideration will be given to his request.
2. A subsequent change of address does not constitute a correction of home of record for Marine Corps purposes. However, an individual is not prevented in any way from establishing a residence other than the home of record originally recorded. Home of Record or legal address for other purposes must be determined under civil law.

J LOVELL

Head

Records Correspondence Section
Manpower Management Support Branch
By direction of the
Commandant of the Marine Corps

JUN 16 2009