



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON, D.C. 20370-5100

JLP:ddj
Docket No: 6583-98
5 January 1999

[REDACTED]

Dear Mr. [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 5 January 1999. 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 memorandum 5000 MPO-41 of 25 November 1998, 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 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
2 NAVY ANNEX
WASHINGTON, DC 20380-1775

IN REPLY REFER TO:

5000
MPO-41
25 NOV 1998

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

Subj: BCNR DOCKET NO. 6500 [REDACTED]

Ref: (a) Conversation btwn Ssgt Jones, MPO and Major
Schwalm, MMSR on 20 Nov 1998

Encl: (1) Msgt Nakumura's AA Form 1330 of 10 Jun 98

1. Recommend the petitioner's request be denied.
2. Per enclosure (1), the petitioner requested and received a retirement date of 31 August 1998. Consideration was given to adjusting his retirement date which would have provided payment of one month's pay as a Master Sergeant; however he elected to retire on 31 August 1998 as a Gunnery Sergeant instead. Given his request he is not entitled to any further pay from the U.S. Government.
3. Manpower Policy point of contact is SSgt Jones, (703) 784-9386.

E.G. SHERRILL
Head, Manpower Policy Branch
Manpower Plans and Policy Division
By direction of the Commandant of the Marine Corps