



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

JLP:ddj
Docket No: 8214-98
23 February 1999

[REDACTED]

Dear [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 February 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 1070/1 RE-21 of 3 February 1999, 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



UNITED STATES MARINE CORPS
MARINE CORPS RECRUITING COMMAND
3280 RUSSELL ROAD
QUANTICO VA 22134-5103

IN REPLY REFER TO
1070/1
RE-21
3 Feb 99

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

Subj: ADVISORY OPINION IN THE CASE OF LANCE CORPORAL
[REDACTED]

Ref: (a) BCNR Docket #08214-98
(b) ALMAR 141/95

1. In response to reference (a), a review of SNM's petition for correction of date of rank in his Military Record was conducted. A determination was made that [REDACTED] date of rank is correct. [REDACTED] reenlisted under the authority of the Prior Service Enlistment Program (PSEP), per reference (b). His date of rank to lance corporal would be the day he came back on active duty with promotion to corporal after 6 months inclusive.

2. Unlike prior service Marines who have a designated critical PMOS on the prior service FTAP target list, PSEP Marines reenter the first term force, not the career force. His request for the reinstating or a back dated promotion to sergeant is denied.

[REDACTED]
By direction