



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

LCC:ddj
Docket No: 6254-01
20 February 2002



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 20 February 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 CMC memorandum 1400/3 MMPR-2 of 25 October 2001, 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. Also, you declined to extend your enlistment to acquire the two years obligated service for promotion to paygrade E-8 prior to being found unfit for duty by the Physical Evaluation Board.

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,

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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
MANPOWER AND RESERVE AFFAIRS DEPARTMENT
HARRY LEE HALL, 17 LEJEUNE ROAD
QUANTICO, VIRGINIA 22134-5104

IN REPLY REFER TO:
1400/3
MMPR-2
25 Oct 01

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

Subj: ADVISORY OPINION IN THE CASE OF GUNNERY SERGEANT
[REDACTED]

Ref: (a) MMSR ltr of 8 Oct 01

1. Research of Gunnery Sergeant [REDACTED] records indicate that he was selected to master sergeant by the 1975 Sergeant Major through Master Sergeant Selection Board. In accordance with Promotion Branch letter MMPR-2-rbb dated 20 February 1975, Gunnery Sergeant [REDACTED] was deleted from the promotion list because of his request to transfer to the Fleet Marine Corps Reserve.

2. Point of contact this command is Major [REDACTED] at
Comm: (703) 784-9710, DSN: 278-9710.

[REDACTED]

Major, U.S. Marine Corps
Head, Enlisted Promotion Section
By direction of
the Commandant of the Marine Corps