



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

BJG  
Docket No: 10584-07  
31 October 2008

[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.

[REDACTED]

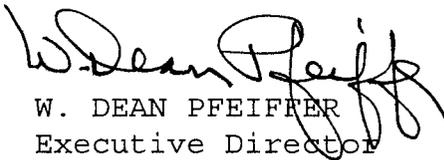
You requested, in effect, that your master sergeant date of rank and effective date be adjusted to reflect selection by the Fiscal Year (FY) 2005 Master Sergeant Selection Board, vice the FY 2007 Master Sergeant Selection Board.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 30 October 2008. 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 opinions from the Headquarters Marine Corps (HQMC) Enlisted Promotion Section, dated 8 January and 15 April 2008, and the HQMC Enlisted Assignments Branch, dated 29 April 2008, copies of which are attached. The Board also considered your rebuttal letters dated 8 February 2008 and 30 May 2008 with enclosures.

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 particularly noted that you were not selected when you received remedial consideration for promotion from the FY 2005 and 2006 Master Sergeant Selection Boards; and the Board substantially concurred with the advisory opinion dated 29 April 2008, except to note you actually had only one observed gunnery sergeant fitness report (4 December 2004 to 19 August 2005) for the FY 2006 Master Sergeant Selection Board, convened on 18 October 2005. The Board noted it cannot be presumed how you would have been evaluated in fitness reports you did not receive for the period from 1 July 2001, your adjusted gunnery sergeant date of rank, to 29 November 2004, the day before the beginning date of your first gunnery sergeant fitness report (30 November to 3 December 2004, not observed). In view of the above, 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

Enclosures