



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

HD:hd
Docket No. 06421-08
25 August 2008

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: [REDACTED]
REVIEW OF NAVAL RECORD

Ref: (a) 10 U.S.C. 1552

Encl: (1) DD Form 149 dtd 8 Jul 08 w/attachments
(2) PERS-812 memo dtd 7 Aug 08

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected by modifying the advancement examination profile sheet for cycle 080 February 2007 Reserve to show additional award points. He also impliedly requested, if eligible, retroactive advancement to HM1 (pay grade E-6) from that cycle.
2. The Board, consisting of Ms. Wilcher and Messrs. Cooper and Sproul, reviewed Petitioner's allegations of error and injustice on 21 August 2008, and pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.
3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:
 - a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.
 - b. In correspondence attached as enclosure (2), the Navy Personnel Command office with cognizance over the subject matter of this case has commented to the effect that Petitioner's request has merit and warrants favorable action. They

specifically recommend that the advancement examination profile sheet be modified to show 10 award points (vice 8), that his final multiple be changed accordingly to 200.59 (vice 198.59), and that he be advanced to HM1 with an effective date of 16 December 2007 and time in rate date of 1 July 2007.

CONCLUSION:

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an error and injustice warranting the following corrective action.

RECOMMENDATION:

a. That Petitioner's naval record be corrected by modifying the advancement examination profile sheet for cycle 080 February 2007 Reserve to show 10 award points vice 8 and a final multiple of 200.59 vice 198.59.

b. That his record be corrected further to show he was advanced to HM1 with an effective date of 16 December 2007 and time in rate date of 1 July 2007.

c. That a copy of this Report of Proceedings be filed at an appropriate location in Petitioner's naval record, and that another copy of this report be returned to this Board, together with any material directed to be removed from Petitioner's record, for retention in a confidential file maintained for such purpose.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder


JONATHAN S. RUSKIN
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby

announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.


W. DEAN PFEIFFER
Executive Director