



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

LCC  
Docket No. 3294-09  
13 Jul 09

[REDACTED]

Dear [REDACTED]

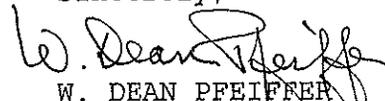
This is in reference to your application for correction of your naval record pursuant to the provisions of 10 USC 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 13 July 2009. 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 MMPR-2 of 8 June 2009, 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 also 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  
MANPOWER AND RESERVE AFFAIRS DEPARTMENT  
HARRY LEE HALL, 17 LEJEUNE ROAD  
QUANTICO, VIRGINIA 22134-5104

IN REPLY REFER TO:

1400/3  
MMPR-2

JUN 08 2009

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

Subj: ADVISORY OPINION IN THE CASE OF [REDACTED]  
[REDACTED] USMC (RETIRED)

Ref: (a) BCNR Docket Number 3294-09 of 23 Apr 09  
(b) NAVMC 118(5) from SNM's service record book  
(c) SNM's DD Form 214 of 30 Nov 1954  
(d) Marine Corps Rank Structure prior to & after 1946  
(e) Marine Corps Rank Structure 1954 / 1959 / 1960  
(f) SNM's TFDW Report of 9 Jun 09

1. Per reference (a), [REDACTED] asserts his record should reflect the rank of sergeant vice corporal.
2. References (b) and (c) verify that [REDACTED] was last promoted to the rank of sergeant (E-4) with a date of rank and effective date of 1 March 1952 prior to his transfer to the permanent physical disability list. References (d) and (e) document the changes in the Marine Corps rank structure between 1 December 1946 and 1 August 1960. Specifically, in 1952, a Marine sergeant held the pay grade of E-4. After 1 August 1960, a Marine sergeant held the pay grade of E-5.
3. Based on the information above, [REDACTED] assertion is correct, his record should reflect the rank of sergeant but his pay grade should reflect E-4. Furthermore, reference (f) also verifies that [REDACTED] pay grade is E-4 not E-5.
4. Based on the foregoing, it is recommended [REDACTED] record remain unchanged.

*for* *L. A. Ecker*  
R. W. REILLY  
Major, U. S. Marine Corps  
Head, Enlisted Promotion Section

JUN 17 2009