



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

CRS

Docket No: 10003-09
24 May 2010

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

Subj: FORMER [REDACTED] REVIEW OF
NAVAL RECORD

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

Encl: (1) DD Form 149
(2) HQMC Memos of 13 Apr and 7 May 2010
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner applied to this Board requesting his naval record be corrected to show the rate of E-5 and that appropriate medals be awarded to him.

2. The Board, consisting of Mr. [REDACTED], Ms. [REDACTED] and Mr. [REDACTED], reviewed Petitioner's allegations of error and injustice on 19 May 2010 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), cognizant officials of Headquarters Marine Corps recommend relief be granted.

CONCLUSION:

Upon review and consideration of all the evidence of record the Board concludes that Petitioner's request warrants favorable action. The Board concurs with the advisory opinions.

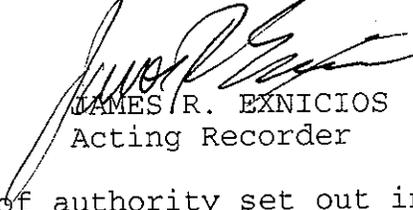
RECOMMENDATION:

a. That Petitioner's naval record be corrected to show, wherever possible, that he was promoted to E-5 on 1 October 2004 and received the awards as set forth in enclosure (2).

b. That no further relief be granted.

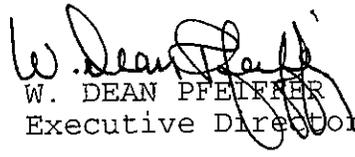
4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder



JAMES R. EXNICIOS
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