



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

BJG  
Docket No: 883-10  
30 August 2010

[REDACTED]

[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.

You requested adjusting your gunnery sergeant date of rank and effective date to reflect selection by the Fiscal Year (FY) 2006 Gunnery Sergeant Selection Board, rather than FY 2009.

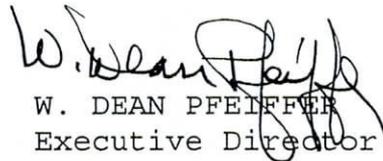
A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 24 August 2010. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. 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. The Board also considered the advisory opinions from the Headquarters Marine Corps (HQMC) Enlisted Promotion Section, dated 8 March and 13 July 2010, copies of which are attached, and a copy of your fitness report for 8 March to 26 August 2005, whose removal was directed by the HQMC PERB.

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. The Board was unable to find your

selection by the FY 2006, 2007, or 2008 Gunnery Sergeant Selection Board would have been probable, had your record not included the fitness report that has been removed. In this connection, the Board substantially concurred with the advisory opinion dated 13 July 2010. 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