



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

JSR

JSR
Docket No. NR455-15
12 February 2015

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 21 Jan 15 w/attachments
(3) MMRP-50 memo dtd 4 Feb 15

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 removing her failures of selection before the Fiscal Year (FY) 2015 and 2016 Lieutenant Colonel Selection Boards. She also impliedly requested setting aside action to effect her involuntary retirement on 1 July 2015 by reason of the failures of selection for promotion.
2. The Board, consisting of Messrs. [REDACTED] reviewed Petitioner's allegations of error and injustice on 12 February 2015, 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 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. With her application, Petitioner provided a copy of her fitness report for 13 November 2012 to 26 June 2013, whose removal has been directed by the Headquarters Marine Corps (HQMC) Performance

Evaluation Review Board. This report was in her Official Military Personnel File for both the FY 2015 and 2016 promotion boards.

c. In enclosure (2), the HQMC office with cognizance over the subject matter of Petitioner's case has commented to the effect that the request to remove the failures of selection for promotion has merit and warrants favorable action.

CONCLUSION:

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

RECOMMENDATION:

a. That Petitioner's naval record be corrected so that she will be considered by the earliest possible selection board convened to consider officers of her category for promotion to lieutenant colonel as an officer who has not failed of selection for promotion to that grade.

b. That any retirement or other action based in any way on Petitioner's failures of selection before the FY 2015 and 2016 Lieutenant Colonel Selection Boards be cancelled and, if necessary, that related documentation be removed from her record.

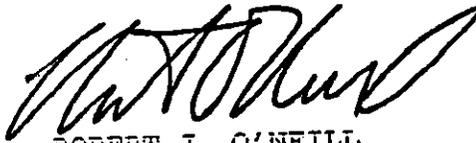
c. That any material or entries inconsistent with or relating to the Board's recommendation be corrected, removed or completely expunged from Petitioner's record and that no such entries or material be added to the record in the future.

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.

Jonathan S. Ruskin
JONATHAN S. RUSKIN
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.

A handwritten signature in black ink, appearing to read "R. J. O'Neill", written in a cursive style.

ROBERT J. O'NEILL
Executive Director