



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

██████████  
Docket No: 3491-21  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO ██████████  
XXX XX ██████████ USMC

Ref: (a) Title 10 U.S.C. § 1552  
(b) MARADMIN 314/12  
(c) MARADMIN 521/14

Encl: (1) DD Form 149 w/ attachments  
(2) DD Form 214 of 3 Aug 13  
(3) MCTFS - Grade Screen  
(4) Sgt Promotion Warrant of 1 Oct 13  
(5) MCTFS Chronological Record Screen  
(6) DD Form 4 of 1 Feb 21  
(7) Certificate of Reenlistment of 1 Feb 21  
(8) MCTFS Basic Training Record Screen  
(9) HQMC memo 1400/3 MMPR-2 of 14 Jun 21  
(10) BCNR email to Petitioner of 27 Jun 21

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his naval record be corrected to retain the rank and pay grade of Sergeant (Sgt)/E-5 and receive back pay and allowances from 1 February 2021.
2. The Board, reviewed Petitioner's allegations of error and injustice on 3 August 2021, 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 enclosures (1) through (10), relevant portions of Petitioner's 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, found that, before applying to this Board, he exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:
  - a. On 4 August 2008, Petitioner entered the Marine Corps onto active duty. See enclosure (2).

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- b. On 1 January 2012, Petitioner was advanced to the rank of Corporal (Cpl)/E-4. See enclosures (2) and (3).
- c. On 3 August 2013, Petitioner was released from active duty and transferred to the Marine Corps Reserve. See enclosure (2).
- d. On 1 October 2013, Petitioner was promoted to the rank of Sgt/E-5. See enclosure (4).
- e. On 23 September 2015, Petitioner was discharged from the Marine Corps Reserve. See enclosure (5).
- f. On 1 February 2021, Petitioner reenlisted into the Marine Corps on active duty in the rank of Sgt/E-5. See enclosures (6) and (7).
- g. On 28 April 2021, Petitioner completed the Corporals Course Distance Education Program (DEP) (EPME4000AA). See enclosures (8) and (9).
- h. On 14 June 2021, Headquarters Marine Corps (MMPR-2) provided an unfavorable advisory opinion to enclosure (1). MMPR-2 recommended disapproval of relief based on not meeting the criteria for promotion to Sgt/E-5 effective 1 October 2013 per references (b) and (c). See enclosure (9).
- i. On 27 June 2021, BCNR forwarded MMPR-2 advisory opinion to the Petitioner for review and response. Petitioner did not provide a response. See enclosure (10).

#### BOARD CONCLUSION

Upon review and consideration of all the evidence of record, and notwithstanding the comments provided in the advisory opinion, the Board concluded Petitioner's request warrants favorable action. The Board determined there is no evidence in Petitioner's Official Military Personnel File to corroborate the he was erroneously issued the promotion warrant to Sgt/E-5. Consequently, the Board heavily relied on enclosures (4), (6), and (7), whereby Petitioner enlisted in the rank of Sgt/E-5; therefore, under these circumstances, relief is warranted.

#### BOARD RECOMMENDATION

That Petitioner's naval record be corrected, where appropriate, to show that:

Petitioner reenlisted in pay grade "Sgt/E-5" vice "Cpl/E-4" effective 1 February 2021.

Defense Finance and Accounting Service will complete an audit of Petitioner's pay records to determine retroactive pay and allowance entitlement.

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.

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5. The foregoing action of the Board is submitted for your review and action.

9/28/2021

[REDACTED]

Executive Director

Assistant General Counsel (Manpower and Reserve Affairs)

**Reviewed and Approved Board Recommendation (Grant Relief)**

~~Reviewed and Approve Advisory Opinion Recommendation (Deny Relief)~~

10/31/2021

[REDACTED]

Assistant General Counsel (M&RA)

[REDACTED]