



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

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Docket No. 5511-21
Ref: Signature Date

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Dear █:

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your application on its merits. A three-member panel of the Board, sitting in executive session, considered your applications on 16 December 2021. The names and votes of the members of the panel will be furnished upon request. 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 applications, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations, and policies.

The Board carefully considered your request to be promoted to lieutenant junior grade. The Board considered your contention you received notification in late 1957 that you were eligible for promotion to the grade of lieutenant junior grade but your commanding officer (CO) did not process the request despite repeatedly telling you "it would be handled."

The Board noted a 10 September 1957 letter in your official military personnel file from the Chief of Naval Personnel which stated you would be eligible for promotion to the grade of lieutenant junior grade in the Reserve of the United States Navy as of 10 December 1957. The letter further detailed the promotion was subject to your meeting the established physical and professional requirements prescribed in the noted references and explained in the body of the letter. Specifically, you were required to demonstrate you were professionally and physically qualified for promotion and your command had to endorse your promotion.

The Board, however, noted your record does not contain evidence any of these requirements were met nor did you submit supporting documentation reflecting completion. The Board

further noted all subsequent correspondence referred to you as “ensign” and concluded you did not question the fact you had not been promoted which implies you acknowledged you had missed the opportunity to be promoted by not following through with the requirements. The Board regrettably determined you provided insufficient evidence of material error and/or administrative error in your record and concluded you did not meet the requirements for promotion to lieutenant junior grade in the Navy Reserve.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or 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,

12/23/2021



Deputy Director

Signed by:

