



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

█  
Docket No. 138-22  
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 case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 22 February 2022. 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 application, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations, and policies.

You entered active duty on 12 November 1954. On 1 November 1956 you were promoted to Corporal.<sup>1</sup> On 5 June 1957, you took the General Military Skills Test (GMST) examination, and passed. Your score was recorded on 25 October 1957. Furthermore, pro period 57-2 to Sergeant composite score was 132. On 8 July 1957 you received nonjudicial punishment for violation of Uniform Code of Military Justice article 134. On 11 November 1957 you were honorably released from active duty and transferred to the Marine Corps Reserve as a Corporal. Your terminal date of Reserve obligation was 11 November 1962.

On 1 January 1959 in accordance with MCO 1223.1 your rank title was changed to Acting Corporal (E-3). On 11 November 1962, you were honorably discharged as a Corporal (E-3) upon completing your 8-year obligation.

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<sup>1</sup> In accordance with Marine Corps Enlisted Promotion Procedures of July 1956, for promotion to pay grades E-3, E-4, and E-5 a Marine must be recommended for promotion by a local promotion board, and the local board determines whether the Marine has the necessary attributes of leadership, personal conduct, etc. to merit promotion, approval of the local board's action by a commanding officer, and by approving the recommendation of the local board, the commanding officer is certifying that in his judgement the candidate is qualified in all respects for promotion.

You requested be promoted to the rank of Sergeant (E-4). The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. However, the Board concluded that in accordance with the Marine Corps Enlisted Promotion Procedures of July 1956, you were not only required to pass the GMST, you were also required to be recommended for promotion by a local promotion board and your commanding officer must approve the local board's action. The Board concluded that although you took the GMST on 5 June 1957, and passed, there is no evidence that the final two requirements were met.

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,

3/16/2022

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Deputy Director

Signed by: █