



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

█  
Docket No. 1757-22  
Ref: Signature Date

█  
█  
█  
  
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 26 July 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. In addition, the Board considered the advisory opinion by Headquarters Marine Corps (MMPR-2), 30 March 2022 which was previously provided to you. You were afforded an opportunity to submit a rebuttal, but did not do so.

You requested promotion to Sergeant/E-5 and be awarded a Navy Unit Commendation (NUC). The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. The Board concluded that you did not meet the time in grade (TIG) requirement for promotion to Sergeant while on active duty. However, while in the Marine Corps Reserve, you did meet the TIG requirement but failed to meet the criteria of earning at least 27 points in your last full anniversary year, thereby rendering you ineligible for promotion in accordance with Marine Corps Order P1400.32C. In this connection, the Board substantially concurred with the comments contained in the advisory opinion.

Regarding your request for a NUC, the Board noted that you have not exhausted your administrative recourse with the Marine Corps as required by Secretary of the Navy Instruction 5420.193. You may contact Headquarters Marine Corps, Manpower Management Military Awards Branch at 2008 Elliot Road, Quantico, VA 22134-5103 – email at

SMB\_HQMC\_VETERANREQUESTS@usmc.mil; and/or phone at 703-784-9206 to address your concerns.

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,

8/3/2022

█

Deputy Director

Signed by: █