



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. 6422-22
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 27 October 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 requested that your Armed Forces of the United States Report of Transfer or Discharge (DD Form 214MC) ending on 18 December 1970 reflect the rank of Corporal (Cpl)/E-4 in block 5a. 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 in accordance with Marine Corps Personnel Manual of 1967, "Promotion to grades below that of staff noncommissioned officer will be effected by commanders having authority to do so. Existing vacancies in unit tables of organization/manning levels must exist prior to effecting promotion to grades of lance corporal and corporal." A review of your record indicates you entered active duty on 17 March 1969 and subsequently promoted to Lance Corporal (LCpl)/E-3 effective 1 March 1970. On 18 December 1970, you were released from active duty and transferred to the Marine Corps Reserve. The Board noted that you received a meritorious promotion recommendation, however, there is no evidence that your commander promoted you to the rank of Cpl/E-4 prior to your release from active duty.

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

