



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. 6946-22

Ref: Signature Date

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Dear Petitioner:

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.

A three-member panel of the Board, sitting in executive session, considered your application on 11 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.

The Board carefully considered your request to be considered for promotion to Master Gunnery Sergeant (MGySgt/E-9) by the Fiscal Year (FY) 2022 Reserve Enlisted Remedial Selection Board (ERSB). The Board considered your contention that you were denied consideration during the FY 2021 Reserve ERSB, due to that finding, you are requesting the opportunity for a FY 2022 ERSB. You claim that you routed your package in a timely manner, but you did not receive support from your chain of command.

The Board, however, substantially concurred with the previous Board's decision that you did not exercise due diligence. In this regard, the FY 2021 Reserve staff non-commissioned officer promotion board convened on 20 January 2021 and you did not submit an application for correction to your record until after the convening of the promotion board. The Board also noted that according to the Marine Corps Enlisted Promotion Manual, due diligence requires that a Marine identify error, discrepancies, or injustice in his or her record in a timely manner and initiate appropriate corrective action. The Marine must identify steps taken to ensure the completeness and accuracy of his or her official record prior [emphasis added] to the convening of the selection board. The Board noted, too, that you retired prior to the convening of the FY

2022 promotion board. As such, you were not eligible for consideration. Moreover, the Board substantially concurred with the correspondence from Marine Corps Enlisted Promotions Branch (MMPR-2) notifying you that Marines who have been discharged, transferred to the Fleet Marine Corps Reserve, transferred to the retired list or retired reserve are not eligible for remedial consideration. Accordingly, the Board concluded that there is no probable material error, substantive inaccuracy, or injustice warranting corrective action.

In the absence of sufficient new evidence for reconsideration, the decision of the Board is final, and your only recourse would be to seek relief, at no cost to the Board, from a court of appropriate jurisdiction.

Sincerely,

10/20/2022

