



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

██████████  
Docket No. 87-23  
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF ██████████  
██████████

Ref: (a) Title 10 U.S.C. § 1552  
(b) MCO P1400.32D w/CH2 (ENLPROMMAN)  
(c) MARADMIN 265/21 (FY 2021 SSgt selection board zones and allocations)

Encl: (1) DD Form 149 w/attachments  
(2) Screenshot of Petitioner Promotion History  
(3) MCTFS Screenshot of Petitioner's record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting to be granted an Enlisted Remedial Selection Board (ERSB) for the FY 2021 Staff Sergeant (SSgt) Promotion Selection Board (PSB) to correct his date of rank.

2. The Board, consisting of ██████████, reviewed Petitioner's allegations of error and injustice on 21 February 2023 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of Petitioner's naval records, and applicable statutes, regulations, and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, found as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulation within the Department of the Navy.

b. Petitioner was promoted to the rank of Sergeant on 1 April 2017. On 21 July 2020, the FY 2021 SSgt PSB convened, resulting in the Petitioner's non-selection while in the below the zone for promotion to the 0369 individual military occupational specialty (IMOS). Enclosure (2).

c. On 20 July 2021, the FY 2021 SSgt PSB convened; however, the Petitioner was not considered for promotion. A screenshot of the Petitioner's Marine Corps Total Force System (MCTFS) Diary indicates a deletion error with the Petitioner's MOS of 0311. Enclosures (2) and (3).

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d. On 19 July 2022, the FY 2022 SSgt PSB convened and the Petitioner was selected for promotion to SSgt while in-zone. Petitioner was promoted to SSgt on 1 October 2022. Enclosure (2).

e. Petitioner contends his record was not briefed for the FY 2021 SSgt PSB due to his primary MOS being changed from 0311 to 0300 in MCTFS. Petitioner submitted enclosure (3) as evidence to support his contention.

## CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an error warranting relief. In this regard, the Board noted the Petitioner's most recent selection and promotion to SSgt, however, per reference (b), understood the Petitioner could not receive remedial consideration for a rank currently held or to which selected. The Board further noted that when reviewing the Petitioner's record and reference (c), the Petitioner would have been in-zone for promotion given his date of rank to Sergeant for IMOS of 0369. The Board determined that although enclosure (3) is inconclusive, there is a perceived error that occurred during the FY 2021 SSgt PSB given the Petitioner was non-selected in the previous year from the below-zone and selected for promotion to SSgt in the subsequent year while in-zone. The Board concluded by granting an exception to policy to allow the Petitioner remedial promotion consideration to SSgt for the FY 2021 SSgt PSB.

## RECOMMENDATION

In view of the above, the Board directs the following corrective action:

Headquarters U.S. Marine Corps (MMPR-2) will forward the Petitioner's case for an Enlisted Remedial Selection Board for the FY 2021 Staff Sergeant Promotion Selection Board to determine if the Petitioner would have been selected and, if so, to correct his date of rank.

No further action taken.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above-entitled matter.

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulation, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on

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[REDACTED]

behalf of the Secretary of the Navy.

3/14/2023

[REDACTED]

Executive Director

[REDACTED]