



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

█
Docket No. 764-23
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.

A three-member panel of the Board, sitting in executive session, considered your application on 27 April 2023. 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 also considered the advisory opinion by Headquarters Marine Corps memorandum 1070 JPL of 13 March 2023, which was previously provided to you. You were afforded an opportunity to submit a rebuttal, but did not do so.

You requested promotion to the rank of Lance Corporal/E-3 with associated back pay effective 1 May 2022. 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 Marine Corps Order P1400.32D the decision to promote Marines to the grades of Private First Class/E-2 through Sergeant/E-5, rest solely with the commanders authorized to do so per the policy. Your service record book (SRB) and Marine Corps Total Force System (MCTFS) indicates you were either in a promotion-restricted status and/or not recommended for promotion until 11 April 2023. MCTFS reflects selection grade E-2 effective 1 May 2023, unless your commanding officer determined you were not capable of performing satisfactorily in the higher grade. If your promotion was withheld, you should receive the required SRB counseling. In this connection, the Board substantially concurred with the comments contained in the advisory opinion.

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,

5/5/2023

