



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

██████████
Docket No. 963-23
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.

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 28 February 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.

You requested promotion to the rank of Sergeant (Sgt)/E-5. 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 the Marine Corps Order Publication 1400.29B, outlined eligibility requirements for promotion to Sgt/E-5. The criterion included “(1) Complete the minimum service in grade/time in service requirements as established by the Commandant of the Marine Corps; (2) Have a composite score equal to or above the minimum established for the occupational field; and (3) Be otherwise qualified as determined by his commander.”

A review of your record indicates you were submitted for remedial promotion consideration to the rank of Sgt/E-5 for September 1990. On 16 January 1991, Commandant of the Marine Corps determined that you were not eligible for the September 1990 promotion period because you did not meet the required cutting score of 1749. Your composite score for the July, August, and September 1990 promotion period was 1676, thereby not meeting the minimum requirement for promotion to Sgt/E-5. The Board could not find, nor did you provide evidence reflecting your eligibility for promotion to Sgt/E-5 per the aforementioned policy.

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,

3/6/2023

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Deputy Director

Signed by: █