



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

██████████
Docket No. 7386-23
Ref: Signature Date

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Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Title 10, United States Code, Section 1552. After careful and conscientious consideration of the entire record, the Board for Correction of Naval Records (Board) found the evidence submitted was 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 7 November 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.

The Board carefully considered your request to remove your Fiscal Year (FY) 2024 Failure of Selection (FOS) to the grade of lieutenant colonel. The Board considered your contention that the fitness report for the reporting period 1 May 2022 to 17 November 2022 contained an administrative error, specifically, an incorrect reporting occasion of End of Active Service (EN), which resulted in the report having no relative value. You also claim that the Reporting Senior and Reviewing Officer comments were not considered by the promotion selection board. The Board also considered your contention that the administrative error adversely impacted your consideration for promotion by the FY 2024 USMCR lieutenant colonel promotion selection board.

With regard to your request to remove your FY 2024 FOS to the grade of lieutenant colonel, the Board noted that the contested report was available for consideration by the Fiscal Year (FY) 2024 USMCR Lieutenant Colonel Promotion Selection Board when you failed selection. However, the Board noted that although Headquarters, Marine Corps modified the contested report, the Board determined you provided insufficient evidence to conclude the fitness report somehow caused your FOS. As a result, the Board concluded that removal of your FY 2024

FOS is not warranted. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. 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,

11/24/2023

