



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. 8773-23
Ref: Signature Date

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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 4 January 2024. 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/E-4 while serving in the United States Marine Corps Reserve (USMCR). The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. The Board concluded that you enlisted in the USMCR on 15 June 1955 as a Private/E-1. Thereafter, you promoted to Private First Class/E-2 effective 1 November 1955. You continued to serve in the USMCR until entering active duty on 29 February 1956 and promoted to Corporal/E-3 effective 1 May 1957. You took the exam for Sergeant/E-4 on 4 December 1957 with no indication of selection for promotion. On 28 February 1958 you were released from active duty, issued DD Form 214, Armed Forces of the United States Report of Transfer or Discharge with the appropriate rank of Corporal/E-3, and transferred to the USMCR to complete your military service obligation. On 14 June 1963, you discharged from USMCR in rank Corporal/E-3.

The Board could not find, nor did you provide evidence of passing the Sergeant/E-4 exam and/or being promoted to Sergeant/E-4. Therefore, the Board agreed that a change to your record is not warranted. Additionally, the Board noted that your record does not reflect you being reduced from the rank of Private First Class after your 1 November 1955 promotion as you asserted.

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,

1/22/2024

