



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

BJG
Docket No: 6606-00
2 August 2001

en

LTCC [REDACTED] JR USMCR RET
[REDACTED]
[REDACTED]

Dear Colonel [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 2 August 2001. 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, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by Headquarters Marine Corps (HQMC), dated 25 May 2001, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Since you were not considered for promotion to colonel, they found that the HQMC Performance Evaluation Review Board action directing removal of the two fitness reports from your record did not justify granting you remedial consideration for promotion. In view of the above, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

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 and material evidence or other matter not previously 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,

W. DEAN PFEIFFER
Executive Director

Enclosure

Copy to:
The Honorable James M. Jeffords

6606-00



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
MANPOWER AND RESERVE AFFAIRS DEPARTMENT
HARRY LEE HALL, 17 LEJEUNE ROAD
QUANTICO, VIRGINIA 22134-5104

IN REPLY REFER TO:
1412/2
MMPR
25 May 01

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Subj: BCNR APPLICATION IN THE CASE OF LIEUTENANT COLONEL [REDACTED]
[REDACTED] USMCR (RET)

Ref: (a) MMER Route Sheet of 21 May 2001
(b) Title 10, U.S. Code

1. Reference (a) requested an advisory opinion in the case of Lieutenant Colonel [REDACTED], Lieutenant [REDACTED] requesting relief by a Special Selection Board.

2. [REDACTED] was not eligible, thus not considered, for the 1963 and 1964 USMCR Colonel Promotion Selection Boards. He was on the Inactive Status List.

3. Section 628 of reference (b) states that a special selection board shall be convened, by the Secretary concerned, for an officer who is eligible for promotion and was not considered because of administrative error. [REDACTED] therefore does not meet the requirements for a special selection board.

4. The point of contact in this matter is Captain [REDACTED]
[REDACTED]

[REDACTED]

Colonel, U.S. Marine Corps
Head, Promotion Branch