



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

LCC:ddj
Docket No: 7140-01
18 December 2001

[REDACTED]

Dear Mr. [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 18 December 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 CMC memorandum 1400/4 MMPR 2 of 28 November 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. Accordingly, 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



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:

1400/4

MMPR-2

28 Nov 01

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

Subj: ADVISORY OPINION IN THE CASE OF [REDACTED]

Ref: (a) MCO P1400.32C, ENLPROMMAN

1. [REDACTED], a former Marine, wrote to the Board for Corrections of Naval Records requesting a promotion to sergeant due to passing an exam.

2. On 1 Feb 1954 [REDACTED] was promoted to corporal - "temporary", the highest rank he held. On 14 Jan 1955 [REDACTED] took the examination for sergeant. His score was recorded as "passed" on 11 Apr 1955. He was released from active duty on 30 Apr 1955 as a corporal - "temporary". Due to his transfer to the reserve component, he became ineligible for promotion to sergeant in the regular component. On 1 Jan 1959, while serving in the reserves, his rank title was changed to acting corporal, the final rank he held.

3. Point of contact is Major [REDACTED] at (703) 784-9710.

[REDACTED]

Major, U. S. Marine Corps
Head, Enlisted Promotion Section
By direction