



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

Docket No. 2938-16

FEB 28 2017

Dear

This is in reference to your application for correction of your naval record pursuant to the provisions of 10 USC 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 5 January 2017. 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, your naval record and applicable statutes, regulations and policies. The Board also reviewed the advisory opinion provided by Headquarters Marine Corps (MMRP-13/PERB) dated 31 March 2016 ("AO"), which was sent to you on 31 March 2016 for an opportunity to comment prior to being considered by the Board. After the 30-day period for comment expired without a response from you, the case was presented to the Board.

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 regard, the Board substantially concurred with the comments contained in the AO. The Board took into consideration your claim of receiving a Navy and Marine Corps Commendation Medal (NMCM), but noted that the NMCM received was for performance during the prior two reporting periods and not during the period of the contested report. Furthermore, the Board also noted that the Reporting Senior Section I comments provide the mandatory comments that portray the "whole Marine," and do not contradict the overall satisfactory evaluation. Therefore, the Board concluded that the reasoning you provided did not justify the removal of the contested report and that such report was correct as written and filed. Accordingly, your application has been denied.

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 evidence within one year from the date of the Board's decision. New evidence is evidence not previously considered by the Board prior to making its decision in this case. 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,



Executive Director