



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

[REDACTED]
Docket No: 6049-17
FEB 22 2018

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]
XXX XX [REDACTED] USMC

Ref: (a) 10 U.S.C. §1552

Encl: (1) DD Form 149
(2) HQMC memo 1610 MMRP-50 of 27 Oct 17

1. Pursuant to the provisions of reference (a), Petitioner, a commissioned officer in the Marine Corps, filed enclosure (1) with this Board requesting that the his failure of selection (FOS) by the FY17, FY18, and FY19 Lieutenant Colonel Selection Promotion Boards be removed from his OMPF.

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 17 January 2018, and pursuant to its regulations, determined that the partial corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of Petitioner's naval records, and applicable statutes, regulations and policies. In addition, the Board considered the enclosed advisory opinion (AO) provided by Headquarters, Marine Corps (MMRP-50).

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. The Petitioner contends that the FY17 and FY18 Lieutenant Colonel Selection Promotion Boards did not have his appropriate record at the time of the selection boards. After he failed selection for promotion, his record was corrected by modifying a fitness report and by removing another.

c. Enclosure (2) states in part that, in light of the overall record of the Petitioner, it is the opinion that the unchanged record may have been the proverbial straw that broke the camel's

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back, since, in every other respect, the Petitioner was competitive for promotion. Thus, Petitioner's request should be approved and where applicable he should be given the consideration afforded an in-zone officer.

CONCLUSION

Upon review and consideration of all the evidence of record, and in light of enclosure (2), the Board concludes that the Petitioner's request warrants favorable action. The Board significantly concurred with enclosure (2) that Petitioner's FOS from the FY17 and FY18 Lieutenant Colonel Promotion Selection Boards shall be removed from his OMPF, and that he should be afforded promotion consideration as an in-zone officer.

RECOMMENDATION

Petitioner's naval record be corrected by removing his FOSs incurred by the FY17 and FY18 Lieutenant Colonel Promotion Selection Board.

Petitioner's naval record be corrected so that he will be considered by the earliest possible selection board convened to consider officers of his category for promotion to Lieutenant Colonel as an officer who has not failed selection for promotion to that grade.

That no further relief be granted.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

[REDACTED]
Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulation, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

[REDACTED]
Executive Director