



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


[REDACTED]  
Docket No: 6531-17  
MAR 05 2018

[REDACTED]  
Dear [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.

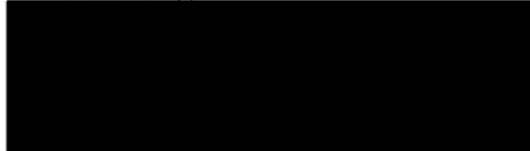
A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 14 February 2018. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative 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.

The Board careful and conscientious consideration your desire to be promoted to gunnery sergeant with the date-of-rank you would have received if selected by the FY15 USMC Gunnery Sergeant Promotion Selection Board, with all back pay and allowances. The Board considered your contentions that your non-selection to gunnery sergeant was due to a material error that existed in your record at the time you were considered by the FY15 Promotion Selection Board; that the error resulted in an inaccurate and unfair portrayal of your performance; that you did not receive the required equitable consideration of all eligible Marines, regardless of zone and; aside from the error, you met the standard as best and most fully qualified for promotion. The Board concluded these factors were not sufficient to warrant relief. In this regard, the Board noted that it would be unjust for you to bypass the competitive selection process, where Marines vie for promotion from among their contemporaries within their military occupational specialty, and a majority vote would determine if your argument that you met the standard as best and fully qualified for promotion, is correct. Thus, the Board found no basis to grant your promotion to gunnery sergeant. Additionally, the Board noted that in accordance with Marine Corps policy, you would not be eligible for remedial promotion consideration because you were in the below-zone for the FY15 Promotion Selection Board. However, because the error in your official military personnel file was not corrected until after you failed to select by the FY16 and FY17 Promotion Selection Boards, the Board noted that you may petition Headquarters, Marine Corps for remedial promotion consideration. Accordingly, your application has been denied.

  
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It is regretted that the circumstances of your case are such that favorable action cannot be taken at this time. You are entitled to have the Board reconsider its decision upon the submission of new and material evidence. New evidence is evidence 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,



Executive Director