



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

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Docket No. 10775-23
Ref: Signature Date

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█,

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 2 July 2024. 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. In addition, the Board considered the advisory opinion contained in Headquarters U.S. Marine Corps memorandum 1400/3 MMPB-11 of 4 March 2024, which was previously provided to you for comment.

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

You requested promotion to Corporal effective October 1987. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. The Board concluded that in accordance Marine Corps Order P1400.29B, promotion to the grades of Sergeant and Corporal will be authorized on the basis of vacancies existing throughout the Marine Corps and will be effected by authorized commanders. Promotions will be based on composite scores computed for each eligible Marine at such time as the Commandant of the Marine Corps shall direct. Specifically, the policy indicates promotion to Corporal required the following: complete the minimum time in grade/time in service; have a

composite score equal to or above the minimum established for the occupational field; and be otherwise qualified as determined by the commander.

The Board could not find evidence of the cutoff score for the month of October 1987 and/or that you exceeded the cutoff score for promotion eligibility to Corporal. The Board noted that a request for the documents annotated on your DD Form 149, Application for Correction of Military Record to support your claim was sent to you via email on 12 March 2024 but you failed to respond. Additionally, you did not provide evidence to support your allegations. Therefore, in this connection, the Board substantially concurred with the comments contained in the advisory opinion and determined a change to your record is not warranted.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or 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,

7/12/2024

