



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. 4753-24
Ref: Signature Date

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Dear █,

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 17 October 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.

You requested advancement to Machinist's Mate Second Class (MM2)/E-5. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. The Board does not have access to the Navy advancement regulations for the period of 1950s through 17 October 1973. However, the Board concluded that you did not meet the criteria for advancement to MM2/E-5. A review of your record reflects that you completed Naval Training Course for MM2 on 22 July 1957. Thereafter, █ issued you NAVPERS 601, Administrative Remarks indicating, "In accordance with CO, NEC ADV LTR 4-57 serial 24129 of 30 October 1957, █ may be advanced to MM2 effective 1 December 1957, provided eligibility is maintained." On 28 November 1957, your rate changed from MM3 to Machinist's Mate (general) Third Class (MML3). On 3 December 1957, you were release from active and official documents pertaining to your discharge were all modified by erasing or overwriting to reflect changing the rate from MML3 to MML2 but the corresponding date of rank was not amended and was associated with your advancement to MM3 on 16 November 1956. While assigned to the Active Status Pool, your rate changed from MML3 to MM3 on 10 November 1958. On 12 January 1963, you completed your military service obligation and issued NAVPERS 601, Record of Discharge, Release from Active Duty,

or Death that reflects MM3 (the "L" appears to be erased) and the discharge certificate was modified from MM3 to MM2.

The Board determined that your rating changed from MM3 to MML3 prior the 1 December 1957 advancement eligibility date to MM2 and found no authority authorizing advancement to MML2. Therefore, the Board determined that 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,

11/19/2024

