



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

█
Docket No. 6137-24
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF █

█ USMC

Ref: (a) Title 10 U.S.C. § 1552
(b) MCO 1040.42B

Encl: (1) DD Form 149 w/attachments
(2) CG, █ ltr 1040 G-1/ADJ, subj: Request for Appointment Letter Under the Fiscal Year 2023 Enlisted to Warrant Officer (Regular) Program, dated 3 Mar 22
(3) [Petitioner] email, subj: WO Officer Submission Documentation, dated 31 Aug 22
(4) CG, █ ltr 1040 G3, subj: Special Selection Board, dated 26 Sep 22
(5) █ email, subj: WO Officer Submission Documentation, dated 29 Nov 22
(6) █ email, subj: FY23 Special Selection Board Results, dated 27 Feb 23
(7) [Petitioner] OMPF Summary Data, dated 12 Aug 24

1. Pursuant to the provisions of the reference, Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting to change his date of rank to be consistent with the Fiscal Year (FY) 2023 Enlisted to Warrant Officer (WO)

2. The Board, consisting of █, █, and █, reviewed Petitioner's allegations of error and injustice on 13 August 2024 and, pursuant to its regulations, determined that the 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.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, found that, before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. On 3 March 2022, the Commanding General, █ (CG, █) endorsed Petitioner's request for appointment under the FY 2023 Enlisted to WO Program. Enclosure (2).

b. On 3 May 2022, the FY 2023 Enlisted to WO selection board convened.

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]

[REDACTED] USMC

c. On 31 August 2022, Petitioner sent emails via his chain of command inquiring about receipt of his WO package by the Marine Corps Recruiting Command (MCRC). Chief Warrant Officer (CWO) 5 R, forwarded Petitioner's inquiry to MCRC requesting a review to help determine why Petitioner's package was not on the eligible list for the Enlisted to WO board. Enclosure (3).

d. In correspondence dated 26 September 2022, the CG, MCRC noted that due to an administrative error in the FY 2023 WO Regular Selection Board process, Petitioner was not considered for selection. In compliance with policy, MCRC is holding a Special Selection Board (SSB) to consider him for selection to WO. Enclosure (4).

e. On 29 November 2022, MCRC notified CWO5 R that the supplemental board was completed on 4 November 2022, Petitioner was briefed, and the results were being routed to the Commandant of the Marine Corps for approval. Enclosure (5).

f. On 27 February 2023, via email Petitioner was notified of his selection by the FY 2023 Enlisted to WO SSB. Petitioner was also notified upon release of the FY 2024 Enlisted to WO Regular Selection Board results MARADMIN, he will be scheduled to attend the FY 2024 Warrant Officer Basic Course (WOBC). Enclosure (6).

g. On 1 February 2024, Petitioner was appointed to WO. Enclosure (7)

h. In his application, Petitioner contends MCRC erroneously misplaced or lost his package, resulting in his FY 2023 WO submission not being presented or briefed to the board. He received an email stating there will be a SSB and a letter signed by the MCRC CG informing him of the administrative error. Additionally, he received another email indicating he was selected from a SSB. Due to the approval process, he was automatically deferred, and attended WOBC in 2024 because he was selected late and not able to attend WOBC in FY 2023. Enclosure (1).

CONCLUSION

Upon careful review and consideration of all the evidence of record, the Board found sufficient evidence of an error and injustice, and determined that Petitioner's request warrants corrective action.

In this regard, the Board noted that, due to no fault of his own, Petitioner was not considered for selection during the FY 2023 Enlisted to WO selection board. Petitioner's evidence supports the submission of his Enlisted to WO Package prior to the convening of the selection board. Moreover, the CG, MCRC admitted that administrative error resulted in Petitioner not being considered for selection. The Board also noted that Petitioner was selected for appointment to WO during a SSB. Due to the timing of the SSB results, Petitioner was unable to attend the FY 2023 WOBC. The Board determined that Petitioner demonstrated that he met the qualifications for appointment to WO in accordance with reference (b). The Board also determined that Petitioner demonstrated due diligence when inquiring about the status of his WO package. Due to administrative error by MCRC, and Petitioner's demonstrated qualification for promotion, his

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]

[REDACTED] USMC

date of rank and lineal standing should be adjusted to reflect selection during the FY 2023 Enlisted to WO selection board.

RECOMMENDATION

In view of the above, the Board directs the following corrective action.

Petitioner's naval record be corrected by adjusting his date of rank to reflect what it would have been had he attended the FY 2023 WOBC.

Petitioner's naval record be corrected by adjusting his lineal standing to reflect what it would have been had he attended the FY 2023 WOBC.

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.

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 Regulations, 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.

9/12/2024

