



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

██████████  
Docket No. 6734-24  
Ref: Signature Date

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████████████████████  
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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 16 January 2025. 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 22 July 2024 and your response to the opinion.

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 that your rank of sergeant/E5 be corrected in your naval record. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions and rebuttal to the aforementioned advisory opinion. Your main contention is that you were incorrectly reduced to corporal/E4 and seek the return of sergeant from the date of administrative reduction. You state that you were promoted based on your abilities and were never advised of any conditions that you must serve two years at "this unit" to maintain sergeant. Further stating that "[n]or do I believe I was so counseled verbally or in writing." After review of relevant portions of your naval record, the Board noted that your naval record reflects that you were released from active duty and issued a DD Form 214, Certificate of

Release or Discharge from Active Duty for the periods of 23 August 1984 to 24 May 1988 upon completion of required active service. Furthermore, the Board noted that upon your discharge your highest rank on active duty was corporal with an effective date of 2 March 1987 and your reserve obligation termination date was 22 August 1992. On 1 November 1988, you were joined to [REDACTED] USMCR for duty. Your record also shows that you were credited with two paid drills in November 1988 and paid drills from 21 April 1989 to 23 April 1989. And on 26 February 1989, you were promoted to sergeant with an effective date of 1 February 1989. The Board noted that on 9 June 1989 your commanding officer notified you via naval correspondence that you were being reduced to the rank of corporal due to your non-participation, in the Selected Marine Corps Reserve for a minimum of 2 years.

Upon careful review and consideration of all of the evidence of record, the Board concluded that other than your assertions, you failed to provide any evidence that your commanding officer erred in his/her decision to administratively reduce you to the rank of corporal due to your non-participation in all required drills. Moreover, the Board relies on a presumption of regularity to support the official actions of public officers, in the absence of substantial evidence to the contrary, the Board will presume that they have properly discharged their official duties. The Board found your evidence insufficient to overcome this presumption. The Board thus concluded that there is no probable material error, substantive inaccuracy, or injustice warranting corrective action. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

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,

1/22/2025

[REDACTED]