



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. 1549-25
Ref: Signature Date

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Dear Petitioner:

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 13 August 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.

The Board carefully considered your request for promotion to E-8. The Board considered your statement regarding selection for E-8 and your referral to a Physical Evaluation Board (PEB); which deemed you unfit for duty. In lieu of medical retirement, you waived the PEB, requested separation under Temporary Early Retirement Authority (TERA), and retired in September 2021. It is your assertion that based upon your selection number, you would have been promoted during September if you had time remaining on your contract.

In its review of your request and all available evidence, the Board determined that no relief is warranted. The Board noted your selection to E-8 according to MARADMIN 714/20; however, your decision to request TERA instead of accepting the PEB findings caused you to be ineligible for promotion. In this regard, according to MARADMIN 369/20 and the Marine Corps Enlisted Promotion Manual, any enlisted Marine who submits a TERA package or for voluntary

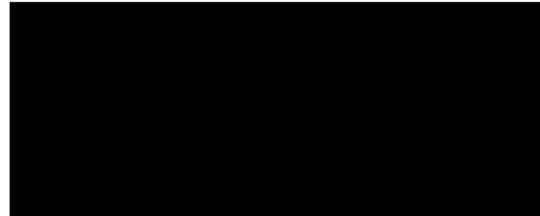
separation is not eligible for promotion consideration. The Board thus concluded there is no probable material error, substantive inaccuracy, or injustice warranting corrective action¹. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

The Board thanks you for your faithful and selfless service to this country.

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,

8/26/2025



¹ You also indicate in your application that you were diagnosed with Post Traumatic Stress Disorder and Traumatic Brain Injury. The Board, however, found no evidence of your diagnoses nor any nexus to your request for promotion.