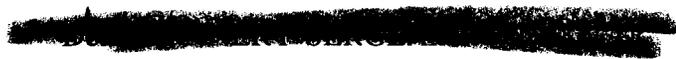




DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

LCC:ddj  
Docket No: 3723-01  
17 July 2001



This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 17 July 2001. 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, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by CMC memorandum 1400/4 MMPR 2 of 5 June 2001, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously 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,

W. DEAN PFEIFFER  
Executive Director

Enclosure



DEPARTMENT OF THE NAVY  
HEADQUARTERS UNITED STATES MARINE CORPS  
MANPOWER AND RESERVE AFFAIRS DEPARTMENT  
HARRY LEE HALL, 17 LEJEUNE ROAD  
QUANTICO, VIRGINIA 22134-5104

IN REPLY REFER TO:

1400/4

MMPR-2

5 Jun 01

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF  
NAVAL RECORDS

Subj: ADVISORY OPINION IN THE CASE OF [REDACTED]

1. Gunnery Sergeant [REDACTED] has requested to have his date of rank changed to appear as if he was selected by the CY 1997 Gunnery Sergeant Selection Board, when he was considered in zone for promotion. Gunnery Sergeant [REDACTED] contends that the reason he was not initially selected for promotion was because of two documented alcohol related incidents in his official military personnel file.
2. Gunnery Sergeant [REDACTED] was considered and not selected for promotion by CY 1997 and CY 1998 Gunnery Sergeant Selection Boards. The specific reason(s) why he was not selected by either of these two boards is not known. Many high quality Marines are not selected because competition is very keen for promotion to the limited number of promotions available. The confidentiality of the selection board process precludes anyone from knowing the exact reasons why any Marine was not selected. Sometimes there really is not a specific reason other than the keen competition. It can only be inferred that, based upon a majority vote of the board members, his record was not competitive with the records of the Marines selected for promotion by those two boards. The CY 1999 Gunnery Sergeant Selection Board selected Gunnery Sergeant [REDACTED] for promotion to his current grade.
3. Nothing in Gunnery Sergeant [REDACTED] official military record has changed; both alcohol related incidents remain in his record. He does not satisfy any of the requirements at this time necessary to be granted remedial promotion consideration. Therefore, his date of rank as a gunnery sergeant should not be changed. He was properly selected by a regularly convened selection board and accordingly promoted to gunnery sergeant at the appropriate time. It is recommended that Gunnery Sergeant [REDACTED] petition be denied.
4. The point of contact for information is Mr. [REDACTED] at (703) 784-9710.

[REDACTED]

Acting Head, Enlisted Promotions  
Promotion Branch  
By direction of  
the Commandant of the Marine Corps