



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

LCC:ddj
Docket No: 5661-01
4 September 2002

[REDACTED]

[REDACTED]

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 4 September 2002. 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 1741 MMSR 6 of 1 August 2002, 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
3280 RUSSELL ROAD
QUANTICO, VIRGINIA 22134-5103

IN REPLY REFER TO:

1741
MMSR-6
1 Aug 02

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

Subj: BCNR APPLICATION IN THE CASE OF STAFF [REDACTED]

Ref: (a) MMER Route Sheet of 25Jul02, Docket No. 5661-02

1. The reference requests an advisory opinion on Staff Sergeant [REDACTED] request to correct his records to show that he is retired in the rank of Gunnery Sergeant.
2. Staff Sergeant [REDACTED] was transferred to the Temporary Disability Retired List in the rank of Technical Sergeant and pay grade E-6 on 1 July 1953. He was later placed on the Retired List by reason of permanent physical disability on 1 November 1956 in the same rank and pay grade.
3. Staff Sergeant [REDACTED] served from 14 January 1942 thru 1 July 1953, during the period when a now obsolete rank titling system was in effect. The highest enlisted rank and corresponding pay grade he held was that of Technical Sergeant, E-6.
4. After Staff Sergeant [REDACTED] retirement, two additional titles, Sergeant Major and First Sergeant, were established in pay grade E-7 in December 1954. The use of the rank of Technical Sergeant was then terminated by the Marine Corps. Later, on 1 January 1959, our present structure was introduced with Staff Sergeant in pay grade E-6, Gunnery Sergeant in pay grade E-7, First Sergeant and Master Sergeant in pay grade E-8 and Master Gunnery Sergeant and Sergeant Major in pay grade E-9.
5. Unfortunately, no basis exists to change the rank title of Marines who retired as Technical Sergeants (E-6) to reflect the title Gunnery Sergeant (E-7) in the present system when, in fact, the highest pay grade satisfactorily served was E-6. Therefore, Staff Sergeant [REDACTED]'s correct retired rank and pay grade remains that of Staff Sergeant, E-6.
6. Point of contact is Mr. [REDACTED] MMSR-6, 784-9310.

[REDACTED]
By direction