



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

HD:hd
Docket No. 09358-10
5 November 2010

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

Subj: [REDACTED]
REVIEW OF NAVAL RECORD

Ref: (a) 10 U.S.C. 1552

Encl: (1) DD Form 149 dtd 27 Aug 10 w/attachments
(2) PERS-812 memo dtd 5 Oct 10

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected to show he had 10 awards points, vice 8, for the Cycle 085 examination for advancement to BM1 (pay grade E-6). He impliedly requested that his final multiple score (FMS) be adjusted accordingly and, if the adjusted FMS is high enough, that he be advanced to BM1.

2. The Board, consisting of Ms. White-Olson and Messrs. Chapman and Ivins, reviewed Petitioner's allegations of error and injustice on 4 November 2010, 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 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, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. In enclosure (2), the Navy Personnel Command office with cognizance over the subject matter of Petitioner's case commented to the effect the request has merit and warrants favorable action. That office specifically recommended changing his award points from 8 to 10, raising his FMS from 167.40 to 169.40, and advancing him

to BM1 with an effective date of 16 June 2010 and time-in-rate (TIR) date of 1 January 2010.

CONCLUSION:

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an error and injustice warranting the following corrective action.

RECOMMENDATION:

a. That Petitioner's naval record be corrected, where appropriate, to show he had 10 awards points, vice 8, for the Cycle 085 examination for advancement to BM1; and that his FMS was 169.40, vice 167.40.

b. That his record be corrected further to show he was advanced to BM1 with an effective date of 16 June 2010 and TIR date of 1 January 2010.

c. That a copy of this Report of Proceedings be filed at an appropriate location in Petitioner's naval record, and that another copy of this report be returned to this Board, together with any material directed to be removed from Petitioner's record, for retention in a confidential file maintained for such purpose.

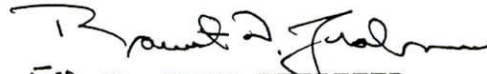
4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder


JONATHAN S. RUSKIN
Acting Recorder

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.

A handwritten signature in cursive script, appearing to read "W. Dean Pfeiffer".

for W. DEAN PFEIFFER
Executive Director