



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

LCC:ddj  
Docket No: 4567-98  
23 March 1999

[REDACTED]

Dear [REDACTED]:

This is in reference to your application for correction of the naval record of your deceased uncle, [REDACTED], 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 23 March 1999. 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 uncle's naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by CMC memorandum 1400/3 MMPR-2 of 9 February 1999, 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 uncle's 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:

1400/3  
MMPR-2  
9 Feb 99

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

Subj: ADVISORY OPINION IN THE CASE OF FORMER PRIVATE FIRST  
[REDACTED]

Ref: (a) DD Form 149 of 18 May 98

1. The following information is provided regarding [REDACTED] request of May 18, 1998 concerning his late [REDACTED] ([REDACTED]) promotion to the rank of sergeant while serving in the U.S. Marine Corps from July 30, 1940 to the declaration of his death on September 29, 1943.
2. A thorough review of [REDACTED] official record was conducted. The research revealed he was promoted to private first class (temporary) on 3 March 1942. There are no other entries regarding eligibility or recommendation for promotion to a higher grade.
3. Recommend petition be denied.

A handwritten signature in cursive script, appearing to read "Claud R. Jones".

CLAUD R. JONES  
Head, Enlisted Promotions  
Promotion Branch  
By direction of  
the Commandant of the Marine Corps