



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

BJG  
Docket No: 3366-99  
7 September 1999

1STSGT [REDACTED] USMC RET  
[REDACTED]  
[REDACTED]

Dear First Sergeant Dobsa:

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 2 September 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 naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by the Marine Corps Recruiting Command, dated 30 July 1999, a copy of which is attached. They also considered your rebuttal letter dated 21 August 1999.

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. They were unable to find that the reason you were not appointed to warrant officer was ethnic hostility toward you by your platoon leader. In view of the above, 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

3366-99



DEPARTMENT OF THE NAVY  
HEADQUARTERS UNITED STATES MARINE CORPS  
2 NAVY ANNEX  
WASHINGTON, DC 20380-1775

IN REPLY REFER TO:

1040  
MCRC OE  
30 Jul 99

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

Subj: BCNR ADVISORY OPINION REQUEST ON 1STSGT [REDACTED]  
USMC (RET) [REDACTED]

Encl: (1) MMER R/S of 15 Jul 99  
(2) BCNR File

1. Per enclosure (1) the following information is provided:

a. 1stSgt [REDACTED] request for appointment to warrant officer cannot be justified.

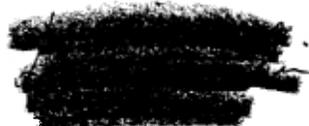
b. The policy that governed the FY68 Enlisted to Warrant Officer Program required successful completion of the Warrant Officer Candidate Screening Course prior to appointment to warrant officer.

c. On 19 Mar 68, 1stSgt [REDACTED] appeared before a battalion evaluation board and was afforded an opportunity to discuss his case with the board. 1stSgt [REDACTED] stated to the board that he had been evaluated fairly and his scores were a true reflection of his performance at WOCS. 1stSgt [REDACTED]'s record also contains a speedletter dated 25 Mar 68 which shows 1stSgt [REDACTED] and ten other candidates were dropped from training for unsatisfactory performance. He was given a non-observed fitness report dated 10 Apr 68.

d. Under current policy, 1stSgt [REDACTED] does not meet the eligibility requirements for appointment to warrant officer.

2. Recommendation: In view of the above, 1stSgt [REDACTED] should not be appointed to the grade of warrant officer .

3. Enclosure (2) is returned.



Lieutenant Colonel  
U.S. Marine Corps  
AC/S Officer Programs  
Marine Corps Recruiting Command  
By direction of the  
Commandant of the Marine Corps