



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

LCC:lc  
Docket No: 8436-98  
25 May 1999

CWO2 [REDACTED] USN RETIRED  
[REDACTED]

Dear [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 25 May 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 NPC memorandum 5420 Ser 85/049 of 5 April 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 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**  
**NAVY PERSONNEL COMMAND**  
**5720 INTEGRITY DRIVE**  
**MILLINGTON TN 38055-0000**

5420  
Ser 85/049  
5 Apr 99

MEMORANDUM FOR BCNR

Via: BUPERS/BCNR Coordinator

Subj: CWO2 [REDACTED], USN, [REDACTED]

Encl: (1) BCNR File

1. Enclosure (1) is returned recommending disapproval of CWO2 [REDACTED] request for advancement to CWO3. CWO2 [REDACTED] was considered and failed to select before the FY-98 and FY-99 Active Chief Warrant Officer (W3) Promotion Selection Boards.
2. CWO2 [REDACTED] request is based upon his claim that due to delay in his reinstatement to CWO2, the Selection Boards were not presented with a fair portrayal of his career.
3. The FY-98 and FY-99 Boards had all the information that was required for consideration. Records that were presented before the boards, including CWO2 [REDACTED] correspondence explaining the absence of his fitness reports from his official record, provided sufficient information upon which to make promotion decisions and determined him not best qualified for promotion.
4. Recommend disapproval of his request.

[REDACTED]  
BCNR Liaison, Officer Promotions and  
Enlisted Advancements Division