



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

CRS

Docket No: 8574-98

19 May 1999

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, 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 5 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.

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.

The Board found that you enlisted in the Navy on 21 February 1996 at age 20. Your record reflects that you were an unauthorized absentee from 5 to 9 December 1996.

In its review of your application the Board carefully weighed all potentially mitigating factors, such as the contention that you were not an unauthorized absentee. The documents that you submitted included a memorandum, dated 19 February 1997, from the administrative officer to the legal officer stating that you were working in the galley during the period of unauthorized absence. You also presented a page from a log book that supposedly confirmed this. However, no evidence was submitted pertaining to the response from the legal office or to show that you were authorized or directed to work in the galley during the period at issue. Therefore, the Board concluded that no change to the unauthorized absence is warranted. 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