

DEPARTMENT OF THE NAVY

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

MEH:ddj

Docket No: 920-01 30 October 2001





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 30 October 2001. 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 1910 Pers 832 of 17 September 2001, 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

DEPARTMENT OF THE NAVY

NAVY PERSONNEL COMMAND 5720 INTEGRITY DRIVE MILLINGTON TN 38055-0000

1910 PERS-832 17 Sep 01

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF NAVAL RECORDS (BCNR)

Via: BUPERS/BCNR COORDINATOR, PERS-OOZCB

Subj: COMMENTS AND RECOMMENDATIONS IN THE CASE OF

Ref: (a) CNO 7220 Ser N130C3/01U1213 memo of 10 Aug 01

Encl: (1) BCNR File #00920-01

(2) Petitioner's Service Record

(3) SNM's ltr dtd 7 Jul 99

1. As requested in reference (a), I reviewed former member petition and his microfiche service record, enclosures (1) and (2) respectively, to determine if his separation was processed appropriately. According to his service record, requested separation as indicated in enclosure (3). When a member requests to be separated, it is considered a voluntary separation. Therefore, his separation was handled appropriately and his DD214 should not be altered.

2. This is an advisory memorandum for the use of the Board for Correction of Naval Records only.

Assistant Section Head, Favorable Enlisted Separations