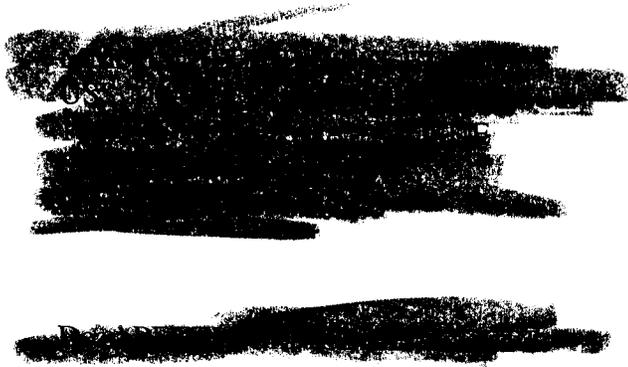




DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

MEH:ddj  
Docket No: 2263-01  
14 August 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 14 August 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 BUPERS memorandum 1160 PERS 815 of 13 July 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

Enclosure



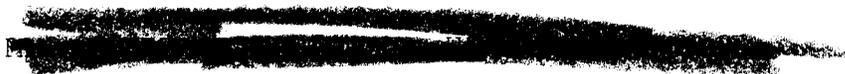
**DEPARTMENT OF THE NAVY**

**NAVY PERSONNEL COMMAND  
5720 INTEGRITY DRIVE  
MILLINGTON TN 38055-0000**

1160  
PERS-815  
13 Jul 01

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORDS

Via: PERS-OOZCB

Subj: BCNR PETITION ICO 

Ref: (a) SNM's DD Form 149 dtd 07 Mar 01  
(b) MILPERSMAN 1160-100

Encl: (1) BCNR File

1. In response to reference (a), recommend disapproval of the petitioner's request.

a. The petitioner reenlisted via the benefits of the STAR program on 25 August 2000 for six years and received a zone "A" SRB entitlement for the MM(4231) rate/NEC.

b. The petitioner received a Letter of Appointment from Commanding Officer of the USS MARYLAND(BLUE) with an effective date of advancement to Petty Officer Second Class on 01 January 2001. However, the petitioner's advancement to Petty Officer Second Class did not take place on 01 January 2001.

c. Per reference (b), a Petty Officer Third Class that has completed a Class "C" school or Class "C" school package that is listed in the Current Career Schools List (CSL), may be advanced to Petty Officer Second Class, if eligible for advancement and upon having completed one year in pay grade E-4.

d. The petitioner's advancement date to Petty Officer Third Class was 16 June 2000. Therefore the petitioner is eligible for automatic advancement to Petty Officer Second Class on 16 June 2001. There are currently no waivers concerning the one-year time in rate requirement.

2. In view of the above, recommend the petitioner's record remain as is. Recommend the petitioner's advancement to Petty Officer Second Class take effect on 16 June 2001.

3. This is an advisory memorandum to reference (a) for use by the Board for Correction of Naval Records (BCNR) only. Enclosure (1) is returned.

  
P/C (AW) USN  
Head,  
Reenlistment Incentives Branch