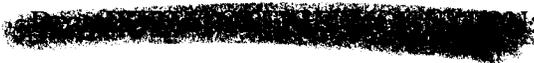




DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

LCC:ddj  
Docket No: 2307-01  
17 July 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 17 July 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 5420 PERS 862 of 11 June 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**

5420  
PERS-862  
JUN 11 2001

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

Via: Assistant for BCNR Matters (PERS-00ZCB)

Subj: COMMENTS AND RECOMMENDATIONS IN THE CASE OF  
[REDACTED]

Ref: (a) Assistant for BCNR Matters 5420 PERS-00ZCB Memo of  
16 May 01  
(b) BUPERSINST 1430.16D

Encl: (1) BCNR File #02307-01

1. Per reference (a), the following comments and recommendations are submitted concerning Petty Officer [REDACTED]'s case.

2. [REDACTED] selected for advancement to CT1 effective 16 July 1997 from the February 1997 (Cycle 060) Navywide Advancement Examination. She was recalled to active duty for two years on 5 June 1997. The effective date of advancement to CT1 was subsequent to her recall to active duty.

3. She was properly denied advancement to CT1 on active duty since her final multiple did not meet the final multiple required for active duty advancement to CT1 as required by reference (b). By recalling to active duty for two years, she was removed from the Naval Reserve inventory and was required to compete for advancement with active duty personnel. The authority for advancement in the Naval Reserve based on the February 1997 cycle expired at the limiting date for that cycle (31 December 1997). There are currently no provisions to reinstate that advancement.

4. In view of the above, we recommend Petty Officer Johnston's petition be denied.

By direction