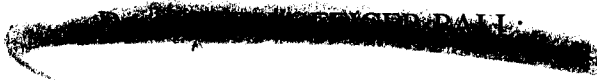




DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

MEH:ddj
Docket No: 7621-00
20 March 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 20 March 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 Ser Pers 402 of 31 January 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
Ser Pers 402
31 JAN 01

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS (NPC-00ZCB)

From: Head Engineering/Hull Assignments Branch, PERS-402
To: Executive Director, Board for Correction of Naval Records
Via: (1) Assistant for BCNR Matters, NPC-00ZCB

Subj: REQUEST FOR COMMENTS AND RECOMMENDATIONS IN CASE OF


Encl: (1) BCNR DOCKET NO. 7621-00 w/Microfiche Service Record

1. NPC records indicate that on 13 May 1994  was approved for Star re-enlistment for a guaranteed non-specific class "C" school sometime during that enlistment contract.
2. On 8 March 1996 SNM requested and was granted an OTEIP extension onboard the USS Dubuque. It was the USS Dubuque's responsibility to submit a TAD quota request from NPC. NPC never received a request for a school seat.
3. SNM reached his PRD Oct 1997 and requested to be released to special programs to take orders to Physical Security which was granted. At that time SNM was sent to Lackland Air Force Base in San Antonio Texas where he attended Physical Security Specialist "C" school. SNM earned a 9545 NEC.
4. On 22 August 2000, SNM submitted and was approved for lateral conversion to the Master At Arms rating .
5. SNM Star enlistment was not violated. SNM attended a class "C" school during his enlistment contract . SNM cannot attend a Machinist Mate class "C" school because Master At Arms is not a source rating for Machinist Mate schools.


LCDR USNR