



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

JLP:ddj
Docket No: 1444-02
4 September 2002

[REDACTED]

Dear [REDACTED]

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 4 September 2002. 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 CDRNAVRESFOR memorandum 1780 Ser N12/597 of 18 July 2002, 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

COMMANDER NAVAL RESERVE FORCE
NEW ORLEANS, LOUISIANA 70146-5000

IN REPLY REFER TO:

1780

Ser N12/ 597

18 JUL 2002

From: Commander, Naval Reserve Force
To: Board for Correction of Naval Records

Subj: ADVISORY OPINION ICO [REDACTED]

Ref: (a) BCNR Docket 01444-02
(b) COMNAVRESFORINST 1780.1A

Encl: (1) Department of the Army ltr of 6 Jun 2000

1. Reference (a) is not supported.
2. [REDACTED] was transferred to the Individual Ready Reserve (IRR) for unsatisfactory drill participation because she could no longer drill onboard the base where her unit was assigned. Enclosure (1) documents the circumstances that barred her from entry to the U.S. Naval Forces, Europe Base because of her own willful misconduct.
3. Per reference (b), members that are transferred to the IRR due to their own willful misconduct, prior to completing their six-year obligation, will be terminated as unsatisfactory participants. Therefore [REDACTED] is not entitled to MGIB-SR benefits.
4. Point of contact is Mr. [REDACTED] at commercial, (504) 678-6649 or DSN 678-6649.

[REDACTED]

By direction

[REDACTED]