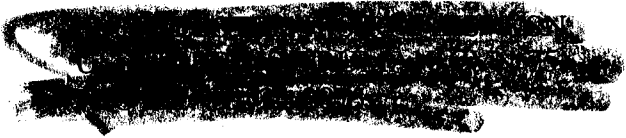




DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

JLP:ddj
Docket No: 1454-00
26 November 2002



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 26 November 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 COMNAVRESFOR memorandum 5420 Ser N121/318 of 12 April 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
4400 DAUPHINE STREET
NEW ORLEANS, LOUISIANA 70146-5046



IN REPLY REFER TO:

5420

Ser N121/ **318**

12 APR 2002

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

Subj: ADVISORY OPINIONS IN CASE OF 


Ref: (a) COMNAVRESFORINST 1100.4A

Encl: (1) Application for Correction of Military Record
(DD Form 149) of 23 Feb 00

1. In response to enclosure (1), the following is provided:

a. Reference (a) provides guidance for management and administration of the Naval Reserve Incentive Programs which states, if a member voluntarily separates from the Selected Reserve for any reason, including Active Duty for Special Work, or Active Duty for Training for more than 179 consecutive days, shall be terminated from eligibility.

b. Member returned to Active Duty in November 1990 making him ineligible for the remainder of his bonus. Member's bonus was terminated in December 1990 and member paid the pro-rated amount of \$166.80 as his final payment.

2. Recommend disapproval of enclosure (1).

