



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

MEH:ddj
Docket No: 8823-02
17 December 2002

[REDACTED]

[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 17 December 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 NPC memorandum 1160 Ser 811/467 of 20 November 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

NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

1160
Ser 811/467
20 Nov 2002

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORD

Via: PERS-OOZCB

Subj: BCNR PETITION ICO [REDACTED]

Ref: (a) SNM'S DD Form 149 dtd 13 Sep 02
(b) OPNAVINST 1160.6A

Encl: (1) BCNR File

1. In response to reference (a), recommend disapproval to the petitioner's request.
2. The petitioner discharged from the U. S. Marine Corps on 21 September 2000 after 11 years of active service. The petitioner enlisted in the U. S. Navy on 22 September 2000 for four years.
3. The petitioner attained the Legalman (LN) rate via successful completion of LN "A" school training.
4. The petitioner requests to receive a zone "C" SRB entitlement for the LN rate based on her four year enlistment of 21 September 2000. Per reference (b), when an enlisted member separate from active Naval service for more than 24 hours but less than four years the member will be eligible for broken service SRB. The petitioner separated from the U. S. Marine Corps, therefore she is ineligible to receive a broken service SRB entitlement.
5. In view of the above, recommend the petitioner's record remain as is.
6. This is an advisory memorandum to reference (a) for the use by the Board for correction of Naval Records (BCNR) only. Enclosure (1) is returned.



MMC(SS) USN
Reenlistment Incentives Branch