




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

█
Docket No: 7837-07
9 July 2008



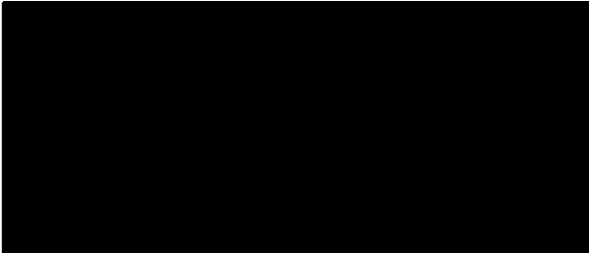
This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 1 July 2008. 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 an advisory opinion furnished by the Navy Personnel Command, a copy of which is enclosed.

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.



Enclosure



DEPARTMENT OF THE NAVY
NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

5420
PERS-912
21 Feb 08

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

Via: Assistant for BCNR Matters (Pers-31C)

Subj: [REDACTED]

Ref: (a) BCNR File No. 07837-07 w/Service Record
(b) Title 10, U.S. Code 12731

Encl: (1) BCNR File
(2) Statement of Service for Navy Reserve Retirement

1. Per reference (a), enclosure (1) is returned with the recommendation that [REDACTED] petition be denied.
2. Reference (b) delineates the qualification requirements for non-regular service retirement at or after age 60. Primary among these requirements is the completion of at least 20 qualifying years of service. A qualifying year of service for retirement is a year in which the member has accrued at least 50 points during an anniversary year.
3. At the time of his discharge on 4 February 1984, [REDACTED] had completed over 20 years of total military service. However, based on a thorough review of his record and as shown in enclosure (2), he had only 12 years, 10 months and 1 day of qualifying service creditable towards retirement.
4. If you have questions concerning this matter, please contact [REDACTED]