



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

DJC
Docket No. 9918-07
15 July 2008

[REDACTED]

Dear [REDACTED]

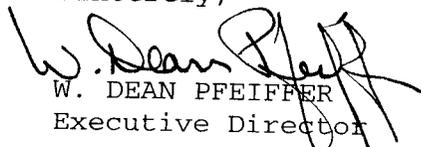
This is in reference to your application for correction of your naval record pursuant to the provisions of 10 USC 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 14 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 the advisory opinion furnished by NPC Memo 1160 Ser 811/435 dtd 10 Jun 08, 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 811/435
10 Jun 08

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORD

Via: PERS-31C

Subj: BCNR PETITION ICO [REDACTED]

Ref: (a) SNM'S DD Form 149 dtd 01 Nov 07
(b) OPNAVINST 1160.8A
(c) NAVADMIN 020/05

Encl: (1) BCNR File

1. In response to reference (a), recommend disapproval to the petitioner's request.
2. The member is requesting to change his reenlistment contract, NAVPERS 1070/601 dated 23 June 2006 to 02 April 2005.
3. The petitioner's EAOS was 26 May 2006, making member ineligible to reenlist for SRB until 01 October 2005. The alternate of changing his reenlistment date to 01 October 2005 would substantially place him in debt.
4. In view of the above, recommend member's record remains as is.
5. 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.


C. E. AIMESTILLMAN
Division Director
Enlisted Career Progression