



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

JRE
Docket No. 02672-08
29 June 2009

[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 25 June 2009. 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.

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.

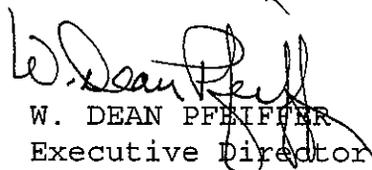
The Board found that you initially enlisted in the Navy on 2 April 1984. You were released from active duty on 1 April 1988, and issued a DD Form 214 which shows that you completed four years of active service as of that date. You reenlisted on 2 April 1988 and served until 1 April 2004, when you were released from active duty and transferred to the Temporary Disability Retired List. Due to apparent administrative error or oversight, you were issued a DD Form 214 which covered the period from 2 April 1988 to 31 March 2004, a period of 15 years, 11 months and 29 days, and a total period of active service of

19 years, 11 months and 29 days. On 21 July 2006, you were issued a DD Form 215 which shows that you remained on active duty until 1 April 2000, and that you completed 20 years of active duty service.

As your record as now constituted is correct, there is no basis for granting your request for a new DD Form 214 that covers the entire period of your active duty service from 2 April 1984 to 1 April 2004. In addition, there does not appear to be any corrective action necessary in order for you to become entitled to concurrent receipt of disability retired pay. 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