



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

BAN  
Docket No. 04028-08  
14 July 2008

[REDACTED]

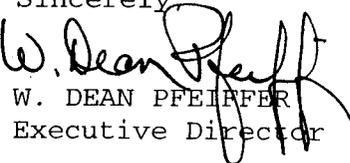
Dear [REDACTED]

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 1430 PERS-812 of 26 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 also 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

1430  
PERS-812  
26 Jun 08

MEMORANDUM FOR CONGRESSIONAL MATTERS (PERS-00L)

Subj: COMMENTS AND RECOMMENDATIONS IN THE CASE OF [REDACTED]

Ref: (a) MILPERSMAN 1420-060  
(b) [REDACTED] ltr of 8 Apr 08

1. Based on policy and guidelines established in enclosure (1) [REDACTED] request is returned with the following comments.

a. Per reference (a), enlisted Navy members who are identified for advancement may be frocked upon notification of selection from Naval Education and Training Professional Development and Technology Center (NETPDTC). Frocking is an administrative authorization to assume the title and wear the uniform of a higher paygrade without entitlement to the pay and allowances of that grade. Frocking provides early recognition for members who have been identified for advancement with a future effective date. Frocking does not change the permanent status of a member nor authorize payment of entitlements governed by statute or regulation.

b. As outlined in reference (b), [REDACTED] was frocked to paygrade E5 on 20 June 2002; however, his effective date of advancement was on 16 November 2002. [REDACTED] was discharged from the Navy Reserve on 13 November 2002. Since [REDACTED] was not affiliated in the Navy Reserve on 16 November 2002 when his official date of advancement to paygrade E5 would have been affected, his advancement authorization to the paygrade of E5 became void.

2. This is an advisory memorandum only. Point of Contact is PS1(SW) Doyle Jacobs at commercial 901-874-4500 or DSN 882-4500.

  
C. E. AIMESTILLMAN  
By direction