



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

TRG

Docket No: 4859-08

8 December 2008

[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 November 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.

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.

As indicated in the enclosed statement of service, at the end of your anniversary year on 18 November 1985 you were credited with 10 years and 27 days of qualifying service for reserve retirement purposes. In the next anniversary year, you were credited with 48 of the 50 retirement points needed for another anniversary year. You had no further participation in the Navy Reserve. On 19 January 1995, you were informed that the Secretary of the Navy had approved the recommendation of a board of officers which had recommended your discharge from the Navy Reserve and that you had been honorably discharged on 31 October 1994.

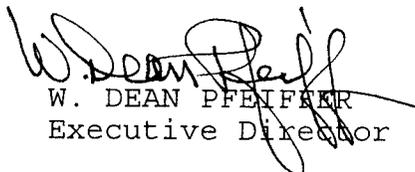
It is clear that you have insufficient service and do not meet the requirements for eligibility for transfer to the Retired Reserve with eligibility for pay at age 60. Although there is no documentation filed in your record, you may have been eligible for an honorary retirement without benefits but this program has been discontinued. The Board concluded that you are not eligible for retirement and a correction to your record is not warranted.

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 PFENFEKER
Executive Director

