



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

DJC
Docket No. 5372-08
12 August 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 11 August 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 Ser 811/485 dtd 3 Jul 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

1430

Ser 811/485

03 Jul 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 28 Apr 08
(b) OPNAVINST 1150.8A

Encl: (1) BCNR File

1. In response to reference (a), recommend disapproval to the petitioner's request.
2. The petitioner is requesting his 4 year SRB reenlistment be recomputed so the 24 months inoperative extension will not be deducted from his SRB.
3. Reference (b) requires that any member may cancel up to 24 months of extension as long as member reenlists at least two years day for day beyond the extension. The member's EAOS was 21 September 2008 with a SEOAS of 21 September 2010. The 4 year reenlistment on 31 January 2008 did not meet that criterion.
4. In view of the above, recommend member's record remains as is.
5. Recommend member submits an application to BCNR at original EAOS to change his reenlistment date to 21 September 2008 for four years.
6. 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.

A handwritten signature in black ink, appearing to read "C. E. Aimestillman".

C. E. AIMESTILLMAN

Division Director

Enlisted Career Progression