



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

TRG
Docket No: 8945-08
17 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 16 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.

You reenlisted in the Navy on 29 March 1957. During the period from 5 August 1958 to 29 April 1960 you received nonjudicial punishment on four occasions and were convicted by a summary court-martial. Your offenses were five periods of unauthorized absence totaling about 14 days. An entry in your record, dated 5 January 1961, states that you were being disqualified for submarine duty based on your demonstrated unreliability. Accordingly, the submarine designator was directed to be removed. Subsequently, you were allowed to reenlist and served until you transferred to the Fleet Reserve in January 1968 without any further disciplinary infractions.

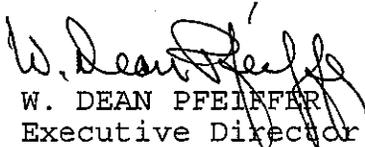
In your application you are requesting authority to wear the insignia showing that you were qualified in submarines. The Board believed that your disciplinary record provided more than a sufficient basis for removal of your submarine designator and you have certainly not provided any evidence that this action was improper in any way.

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