



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

CRS
Docket No: 10065-09
20 January 2010

[REDACTED]

[REDACTED]:

This is in reference to your application for correction of your late husband's 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 9 December 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 late husband's 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.

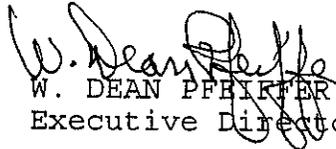
The Board found that your late husband enlisted in the Navy on 18 November 1942. He was honorably discharged on 22 March 1943. On 23 March 1943 he enlisted in the Navy Reserve and was ordered to active duty for training at a college. On 28 March 1944 he was appointed a temporary midshipman in the Navy Reserve. On 29 June 1944 he was commissioned as an officer in the Navy Reserve. On 3 June 1946 he was honorably released from active duty. On 8 March 1956 he was honorably discharged from the Navy Reserve with 13 years, 3 months, and 21 days of service.

As your husband did not complete twenty years of service creditable for retirement, there is no basis for granting your request. Accordingly, since it would not be in the interest of justice for the Board to grant retirement to your late husband, 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 PFRIETER
Executive Director