



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

REC
Docket No: 10383-09
16 April 2010

[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 14 April 2010. 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

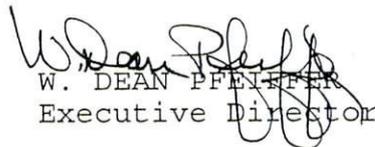
You commenced your affiliation with the Navy Reserve on 21 March 1991. You participated honorably until 20 March 2007. One of the requirements when in a drilling reserve status is to obtain a minimum of 50 points annually. On 19 June 2008, the Bureau of Naval Personnel Command (PERS-911) stated in a letter that you acquired insufficient points and were required to inform them of your intentions to resolve your status. On 27 June 2008, you submitted a response, with the intention to complete correspondence courses to accumulate the required points. According to your service record, you acquired 15 membership points, therefore not meeting the minimum requirement of 50 points. This required PERS-911 to separate you from an active status on 9 June 2009.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your youth and overall record of service. The Board found it interesting that your medical condition, which you had in 2007, prohibited you from making any contact with the appropriate personnel within the Reserve Center to inform them of your whereabouts or condition.

Nevertheless, the Board found that these factors were not sufficient to warrant changing your status to the retired reserve, given your record of failing to participate in the required drills. 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