



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

HD:hd  
Docket No. 10693-09  
17 June 2010

[REDACTED]

[REDACTED]

[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.

You requested, in effect, cancellation of your removal from the Fiscal Year (FY) 09 Line Lieutenant Commander Promotion List and removal of related documentation; removal of your failure of selection by the FY 10 Line Lieutenant Commander Selection Board; approval of your selection by the FY 09 promotion board or, in the alternative, consideration by a special selection board for FY 09; and adjustment of your date of rank to reflect FY 09 promotion, with back pay and allowances due as a result of this adjustment.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 17 June 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 and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinions furnished by the Navy Personnel Command dated 20 November 2009 with enclosures, 12 and 22 February 2010, copies of which are attached. The Board also considered your undated letter in reply to the advisory opinions.

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 opinions. 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

Enclosures