



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

BAN  
Docket No. 00057-10  
26 March 2010

[REDACTED]

[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 22 March 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. The Board considered the advisory opinions furnished by the Deputy Director Casualty Assistance Branch (N135C) of 1 Dec 09, and Naval Personnel Command (NPC) memo 1430 Ser 811/075 of 27 Jan 2010, copies of which are attached.

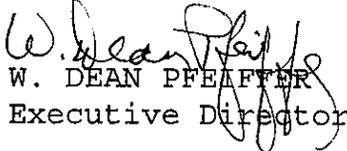
NPC has initiated action to administratively correct your Survivor Benefit Plan (SBP) election to show that you declined participation. Upon completion of that action, you may expect a refund of SBP costs previously deducted from your retired pay.

However, after careful and conscientious consideration of the entire record regarding your request for promotion to the next highest pay grade (E-7), the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. Accordingly, that part of your request for correction 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 also 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