



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

JRE
Docket No. 04155-10
31 January 2011



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 further consideration of your request for upgrade of your discharge, and correction of the date of your enlistment in the Navy.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 21 January 2011. 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 served on active duty in the Navy from 2 April 1983 to 2 October 1985, when you were discharged by reason of misconduct with a general discharge.

In the absence of evidence which demonstrates that you enlisted in the Navy on 2 April 1982, as you contend, rather than on 2 April 1983, as is shown in your official military personnel file, the Board was unable to grant your request for correction of your date of enlistment. The Board did not reconsider your request for upgrade

of your discharge because you did not submit any new material evidence or other matter in that regard. 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 PREIFFER
Executive Director