



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

SJN  
Docket No: 04012-11  
14 April 2011

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]  
[REDACTED]

Ref: (a) 10 U.S.C. 1552

Encl: (1) DD Form 149 with attachments  
(2) Case Summary  
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner, a former enlisted member of the Navy Reserve, filed enclosure (1) with this Board requesting that his discharge of 8 February 2011 due to completion of required service, be removed from his Official Military Personnel File (OMPF).

2. The Board, consisting of Mr. Pfeiffer, Mr. Exnicios, and Mr. Hess, reviewed Petitioner's allegations of error and injustice on 13 April 2011 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Petitioner enlisted in the Navy Reserve on 10 February 1998. During his service, he was advanced to chief petty officer (HMC; paygrade E-7). He had no disciplinary actions of record and was honorably discharged on 8 February 2011. However, an e-mail dated 11 April 2011 from Commander, Navy Reserve Forces (N1C2) states, in part, that some administrative errors had occurred that led to Petitioner not reenlisting in a timely manner, and that he was subsequently discharged at the completion of his required service. N1C2 recommends the his request to

rescind his discharge of 8 February 2011 be granted, that he be allowed to reenlist for two years, and that he be placed back into his reserve unit/billet. In his application, he states that he signed an agreement to extend his enlistment for one month to 8 March 2011. However, the extension was not valid per Navy policy, therefore the extension was not made operative. He further states that he was not made aware that the extension was not valid until after his original 8 February 2011 expiration date, at which time he was already discharged.

CONCLUSION:

Upon review and consideration of all the evidence of record, and especially in light of the supporting e-mail from the Navy Reserve Forces staff, the Board concludes that Petitioner's request warrants favorable action in the form of relief.

After careful and conscientious consideration of the entire record, the Board concludes that Petitioner's discharge from the Ready Reserve of 8 March 2011, be removed from his OMPF and that he be allowed to reenlist in the Navy Ready Reserve.

RECOMMENDATION:

a. That Petitioner's discharge of 8 February 2011 from the Ready Reserve and all other documentation related to it be removed from his OMPF, and that he be allowed to serve in his last unit/billet.

b. That any material or entries inconsistent with or relating to the Board's recommendation be corrected, removed or completely expunged from Petitioner's record and that no such entries or material be added to the record in the future.

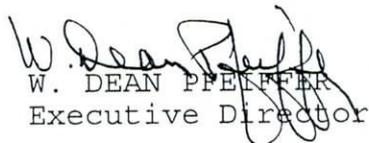
c. That any material direct to be removed from Petitioner's naval record be returned to this Board, together with a copy of this Report of Proceedings, for retention in a confidential file maintained for such purpose, with no cross reference being made a part of Petitioner's naval record.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c) it is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN  
Recorder

  
BRIAN J. GEORGE  
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulation, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

  
W. DEAN PFEIFFER  
Executive Director