



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE ROAD, SUITE 1001  
ARLINGTON, VA 22204-2490

20

JSR  
Docket No: 1822-12  
12 October 2012

[REDACTED]

Dear [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 removing all reference to your charge of driving under the influence. This was understood as a request to remove the fitness report for 18 September to 20 October 2009 and the service record page 11 ("Administrative Remarks (1070)") entry dated 14 October 2009 and an implied further request to set aside your relief for cause from drill instructor (DI) duty and restore your 0911 (DI) additional military occupational specialty (AMOS), your eligibility for the DI Ribbon, and your special duty assignment (SDA) pay.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 12 October 2012. 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. In addition, the Board considered the report of the Headquarters Marine Corps (HQMC) Performance Evaluation Review Board (PERB) dated 13 February 2012 and the advisory opinions from HQMC dated 8 December 2011, 10 April 2012 and 3 August 2012 with enclosure (2), copies of which are attached.

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 report of the PERB and 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,



R. W. DEAN PFEIFFER  
Executive Director

Enclosure