



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

MEH:mh
Docket No: 752-99
25 May 1999



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.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 25 May 1999. 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 advisory opinion furnished by BUPERS memorandum 1160 NPC-815 of 28 April 1999, a copy of which is 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 advisory opinion. 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

Enclosure



DEPARTMENT OF THE NAVY

**NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000**

1160
NPC-815
28 Apr 99

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORDS
Via: NPC-00ZCB

Subj: BCNR PETITION ICO HM3 [REDACTED], USN, [REDACTED]

Ref: (a) SNM's DD Form 149 dtd 3 Feb 99
(b) NAVADMIN 047/98
(c) NAVADMIN 253/98

Encl: (1) BCNR File

1. In response to reference (a), recommend disapproval of petitioner's request.

- Petitioner reenlisted on 24 Apr 98 for four years to attend Surgical Technologist school NEC 8483. Reference (b) did not carry a zone "B" SRB entitlement for NEC 8483 at the time petitioner reenlisted.

- Petitioner attended 8483 training from 02 Jul 98 through 08 Feb 99.

- Reference (c), released on 20 Nov 98 with an effective date of 1 Dec 98 carried a zone "B" SRB entitlement for NEC 8483.

- Petitioner requests to expunge reenlistment date of 24 Apr 98 to reenlist for NEC 8483 at the completion date of training on 08 Feb 99 and receive the zone "B" SRB entitlement offered in reference (c).

- Petitioner was not improperly counseled concerning obliserve requirements prior to attending NEC 8483 training because reference (b) did not carry the SRB entitlement at the time petitioner reenlisted. There is no sufficient grounds to expunge petitioner's reenlistment on 24 Apr 98 as no error or injustice was committed.

2. In view of the above, recommend petitioner's record remain as is.

3. This is an advisory memorandum to reference (a) for use by the Board for Correction of Naval Records (BCNR) only. Enclosure (1) is returned.

