



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

MEH:ddj
Docket No: 6172-02
13 November 2002

ST22
[REDACTED]

[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 13 November 2002. 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 NPC 1160 Ser 811/425 of 10 October 2002, 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. Adjusting the date of advancement to paygrade E5 (STS2) effective 18 January 2000 would, in effect, be the same as approving your previous request for automatic advancement to E5 under the provisions of the STAR program. On 16 May 2000 the Board denied your request for automatic advancement under STAR because the "C" school you completed on 18 January 2000 was not on the CSL at the time of your reenlistment. You were subsequently advanced to E5, via the normal advancement cycle, on 16 September 2001. Though it is unfortunate you were led to believe you would be advanced upon completion of school that in itself is not justification for granting your request. In this connection, the Board did not concur with the recommendation 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.

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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
Ser 811/425
10 Oct 2002

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORDS

Via: PERS-00ZCB

Subj: BCNR PETITION ICO [REDACTED]

Ref: (a) SNM's DD Form 149 dtd 26 Jun 02
(b) MILPERSMAN 1510-020
(c) NAVADMIN 143/98
(d) MILPERSMAN 1160-100

Encl: (1) BCNR File

1. In response to reference (a), recommend approval to the petitioner's request.

a. The petitioner reenlisted for six years on 07 January 1998 via the benefits of the STAR program prior to attending NEC 0425 "C" school (CIN A-130-0360). The petitioner received a zone "A" SRB for this reenlistment.

b. Reference (b) did not carry CIN: A-130-0360 (NEC 0425) on the Career Schools List (CSL) at the time of petitioner's reenlistment.

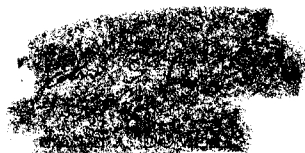
c. Reference (c), released on 09 Jul 1998 added the CIN: A-130-0360 to the CSL. Per reference (d), upon graduation from a Class "C" school or Class "C" school package that is listed in the effective CSL at time of reenlistment.

d. The petitioner requests automatic advancement upon the completion date of 0425 "C" school training via the STAR program. The petitioner completed TRIDENT LEVEL III MASTER OPERATION AND MAINTENANCE TECHNICIAN (NEC 0425) in on 18 January 2000.

2. In view of the above, recommend petitioner's effective of advancement to Petty Officer Second Class be backdated to 18 January 2000.

Subj: BCNR PETITION ICO [REDACTED] MICHAEL [REDACTED]

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



MMC(SS) USN
Reenlistment Incentives Branch