



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

MEH:ddj
Docket No: 7709-02
24 June 2003

[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.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 24 June 2003. 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 memorandum 1160 Ser 811/270 of 29 May 2003, 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
Ser 811/270
29 May 2003

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 Jul 02
(b) MILPERSMAN 1160-100

Encl: (1) BCNR File

1. In response to reference (a), recommend disapproval to the petitioner's request.
2. The petitioner discharged from the Navy on 16 December 1993 after 3 years and 3 months of active service. The petitioner was a petty officer third class in the AK rating on the date of discharge.
3. The petitioner reenlisted on 22 May 2001 for six years and received a zone "A" SRB entitlement for the ETSW(0000) rate.
4. The petitioner attended the NEC 1678 "C" school training from 09 July 2001 to 28 September 2001. The NEC 1678 was listed on the Career Schools List (CSL) at the time the petitioner reenlisted and completed the "C" school training.
5. The petitioner requests to change the reenlistment from 22 May 2001 to 02 November 2001 to reflect benefits of STAR program. Per reference (b), upon graduation from class "C" school or class "C" school package that is listed in the effective CSL at time of reenlistment, a petty officer third class may be advanced to petty officer second class.
6. The petitioner is ineligible for the STAR reenlistment entitlements because of his break in service status. Per reference (b), STAR eligibility requirements, be a petty officer third class on first enlistment.
7. In view of the above, recommend the petitioner's record remain as is.

Subj: BCNR PETITION ICO [REDACTED]

8. 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.

[REDACTED]

MMC(SS) USN

Reenlistment Incentives Branch