



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

TRG
Docket No: 8200-03
30 October 2003

[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 28 October 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.

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.

The record shows that you were released from active duty on 15 October 1983 after almost five years of active duty. Your anniversary year then ended on 9 February 1984. The next four anniversary years are not qualifying for reserve retirement. However, beginning in the 1988 anniversary year, you earned 15 consecutive qualifying years. Additionally, you have sufficient points in the anniversary year which will end on 9 February 2004 to make that a qualifying year. At that time, you will have 23 years of qualifying service for retirement. On 1 July 2001 you were promoted to colonel.

In your application you are requesting that sufficient points be transferred into the four nonqualifying years to make those years qualifying for reserve retirement. You do not contend that an error occurred or provide an explanation as to why you will suffer an injustice if the record is not corrected.

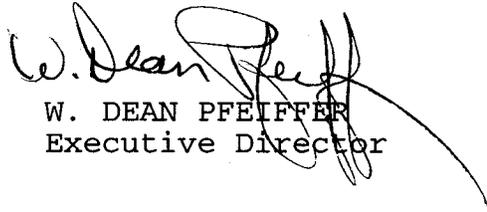
Since you have been promoted to colonel and are qualified for reserve retirement, it does not appear that you have been harmed by the four nonqualifying years. Further, you have not provided any compelling reason why the Board should grant you the relief

you seek.

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