



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

LCC
Docket No. 5909-08
29 Sep 08

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of 10 USC 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 29 September 2008. 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 1430 Ser 811/511 of 21 July 2008, a copy of which is attached.

After careful and conscientious consideration of the entire record, 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 also 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

1430
Ser 811/511
21 Jul 08

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORD

Via: PERS-31C

Subj: BCNR PETITION ICO [REDACTED]

Ref: (a) SNM'S DD Form 149 dtd 01 Jun 08
(b) BUPERSINST 1430.16F

Encl: (1) BCNR File

1. In response to reference (a), recommend disapproval to the petitioner's request.
2. The member is requesting to have his advancement to E5 backdated to when he made E5 in the Air Force.
3. The member DD forms 1966/3, 4/1 and NAVCRUIT 133/52 state member was an E3 and advanced to E5 upon completion of ABH "A" school. The petitioner completed ABH "A" school and was advanced to E5 on 11 March 2008.
4. In view of the above, recommend member's record remains as is.
5. This is an advisory memorandum to reference (a) for use by the Board for Correction of Naval Records (BCNR) only. Enclosure (1) is returned.

A handwritten signature in black ink, appearing to read "C. E. Aimestillman", is located below the list of points.

C. E. AIMESTILLMAN
Division Director
Enlisted Career Progression