



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

HD:hd
Docket No. 08082-09
12 December 2009

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy
Subj: [REDACTED]
REVIEW OF NAVAL RECORD

Ref: (a) 10 U.S.C. 1552

Encl: (1) DD Form 149 dtd 22 Jul 09
(2) Pers-911 memo dtd 24 Sep 09 w/enclosure
(3) PERS-80 memo dtd 20 Oct 09

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with this Board requesting, in effect, that the applicable naval record be corrected to show she was never augmented into the Regular Navy; that she was released from active duty on 30 June 2008, rather than discharged; that she has served continuously on the Reserve Active Status List after that date; and that she was promoted to lieutenant commander with a date of rank and effective date of 1 October 2008.

2. The Board, consisting of reviewed Petitioner's allegations of error and injustice on 10 December 2009, and pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. In correspondence at enclosures (2) and (3), the Navy Personnel Command offices with cognizance over the subject

matter of Petitioner's case have commented to the effect the request has merit and warrants favorable action.

CONCLUSION:

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosures (2) and (3), the Board finds the existence of an error and injustice warranting the following corrective action.

RECOMMENDATION:

a. That Petitioner's naval record be corrected, where appropriate, to show she was never augmented into the Regular Navy.

b. That her record be corrected further to show she was released from active duty on 30 June 2008, rather than discharged.

c. That her record be corrected further to show she has served continuously on the Reserve Active Status List after that date.

d. That her pay entry base date and anniversary date be adjusted accordingly.

e. That her record be corrected further to show she was promoted to lieutenant commander with a date of rank and effective date of 1 October 2008.

f. That a copy of this Report of Proceedings be filed at an appropriate location in Petitioner's naval record, and that another copy of this report be returned to this Board, together with any material directed to be removed from Petitioner's record, for retention in a confidential file maintained for such purpose.

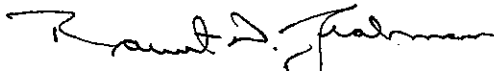
4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)) it is certified that a quorum was

present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder


JONATHAN S. RUSKIN
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.


for W. DEAN PFEIFFER
Executive Director