



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

WJH
Doc. No. 1495-10
3 March 2010

[REDACTED]

[REDACTED]

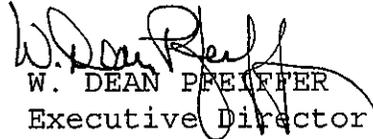
This is in reference to your application for correction of your naval record pursuant to the provisions of 10 USC 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 1 March 2010. 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, and applicable statutes, regulations and policies.

After careful and conscientious consideration of the entire record, a majority of the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. The Board carefully considered the evidence of the guarantees contained in your enlistment contract. However, the Board noted that those guarantees were made over eight years ago. In the intervening years, you completed IT school and, in September 2005, voluntarily reenlisted for six years in the IT rate for a substantial bonus. The Board carefully considered your claims that you asked your supervisors to assign you to Legalman training. However, the Board found that those claims were not sufficient to overcome the Board's determination that you have been serving in the IT rating voluntarily for some time now. In the Board's view, your decision to voluntarily reenlist in the IT rating for a bonus was an intervening event that relieved the Navy of any obligation it may have had to afford you Legalman or Master-at-Arms training. 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