



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

HD:hd
Docket No. 10720-10
13 January 2011

[REDACTED]

[REDACTED]

This is in reference to your application dated 25 August 2010, seeking reconsideration of your previous application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552 by removal of the fitness report for 1 February to 17 August 2006. Your previous case, docket number 02370-09, was denied on 8 October 2009.

You now request, as a first choice, modification of the report by raising the mark in block 42 ("Promotion Recommendation") from "Promotable" (third best of five possible marks) to "Early Promote" (best); raising the trait mark average from 2.67 to 4.04; and deleting, from block 41 ("Comments on Performance"), "[you] exhibited a progressively downward trend in performance and judgement throughout this reporting period. My confidence in [your] pastoral leadership has eroded due to repeated poor judgement and decision making coupled with violations of religious instructions and perceived lack of moral attributes." and "however, [you require] oversight for decision making and personnel matters." As a second choice, you again request completely removing the report.

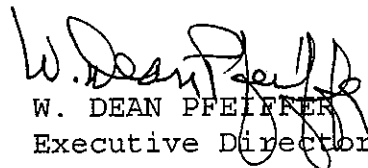
A three-member panel of the Board for Correction of Naval Records, sitting in executive session, reconsidered your case on 13 January 2011. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your current application, together with all material submitted in support thereof, the Board's file on your prior case, and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by the Navy Personnel

Command dated 28 October 2010, a copy of which is attached. The Board also considered your letters dated 20 November 2010 and 28 November 2010 with enclosures.

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, the Board again voted to deny relief. 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