



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

REC  
Docket No: 10751-10  
24 August 2011

[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 24 August 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 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 the evidence submitted was insufficient to establish the existence of probable material error or injustice.

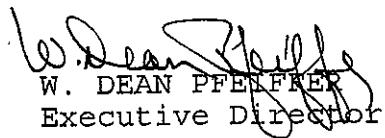
You enlisted in the Navy on 3 April 1986. On 24 September 1987, you received nonjudicial punishment (NJP) for drunken or reckless driving. On 11 March 1989, you received NJP for being derelict in the performance of your duties. On 8 February 2002, you were honorably discharged from active duty while serving in pay grade E-5 and assigned an RE-1 reentry code at your decision to not reenlist, after serving 15 years, 10 months, and six days.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your overall record of service, and two NJP's for misconduct. The Board noted that at the time of your discharge, the Temporary Early Retirement Authority (TERA) program was not in effect. Nevertheless, the Board concluded these factors were not sufficient to warrant granting you a pension under TERA. 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