



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

BAN  
Docket No. 11960-10  
1 March 2011

[REDACTED]

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

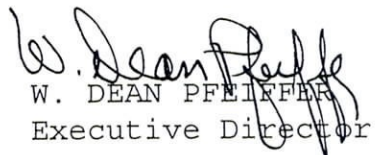
A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 28 February 2011. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, his naval record and applicable statutes, regulations and policies. The Board considered the advisory opinion furnished by Naval Personnel Command (NPC) memo 1430 Ser 811/638 of 3 Dec 10, a copy of which is attached.

After careful and conscientious consideration of the entire record, the majority found that the evidence submitted was insufficient to establish the existence of probable material error or injustice and concurred with the advisory opinion. In the majority's view, your application lacked sufficient evidence that you received inaccurate information from your Education Service Officer. Additionally, you did not sufficiently explain the lapse in time between the September 2009 cycle and your application which was not received until November 2010. One member of the panel, voting in the minority, recommended relief based primarily on the endorsement from your command. Therefore, by a vote of 2-1, 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