



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

[REDACTED]
Docket No. 430-17

DEC 26 2017

[REDACTED]
Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of 10 U.S.C. § 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 22 September 2017. The names and votes of the members of the panel will be furnished upon request. 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. The advisory opinion provided in Navy Personnel Command (NPC) memorandum 1430 Ser 812/0186 of 25 April 2017 was sent to you on 16 May 2017 for an opportunity to comment prior to being considered by the Board. A copy of this advisory opinion is again enclosed.

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. You requested to be advanced to E-2 upon entering active duty. The Board carefully weighed all potentially mitigating factors, such as your assertions that you joined as an undesignated E-2, should have been advanced to E-3 on 16 May 2005, and then would have been eligible to take the advancement examination in March 2006. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. The Board disagreed with your assertions. Your enlistment contract lists you as an E-1 and because of this, your other assertions that your follow on advancements dates to E-2 and E-3 were not accurate is without merit. Accordingly, your application has been denied.

It is regretted that the circumstances of your case are such that favorable action cannot be taken at this time. You are entitled to have the Board reconsider its decision upon the submission of new and material evidence. New evidence is evidence 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,

[REDACTED]

Executive Director

[REDACTED]