



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

[REDACTED]  
Docket No. 5436-17

DEC 07 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 August 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, relevant portions of your naval record and applicable statutes, regulations and policies.

On 31 October 1994, you were transferred to the Fleet Reserve under the Temporary Early Retirement Authority (TERA). At the time of your transfer to the Fleet Reserve, you had a total of 17 years, 3 months, and 23 days of active service. On 8 July 1997, your enhanced retirement qualification period (ERQP) ended. On 24 August 1997, you started your employment for the Cobb County Sheriff's office.

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 for service credit based upon your public and community service (PACS). The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, such as your assertion that your retirement pay would be recomputed back to 50% based upon your public service. In this connection, the Board did not agree with your assertion because there is no proof that you followed the regulations by registering for PACS before being transferred to the retired reserve. Also the public service performed had to have been completed before the end of the ERQP to be eligible for service credit. 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