

DEPARTMENT OF THE NAVY

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

> Docket No. 4229-24 Ref: Signature Date

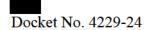
Dear ,

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 10 October 2024. 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.

You requested advancement to Yeoman Third Class (YN3)/E-4 prior to your release from active duty on 18 July 1983 and associated backpay. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. The Board concluded that in accordance with Bureau of Naval Personnel Instruction 1430.16 (series) advancement criteria included but not limited to the following: be recommended for advancement, pass the Navy Wide Advancement Examination (NWAE), and meet or exceed the minimum multiple required to be advanced.

A review of your record reflects that you enlisted in the Naval Reserve on 14 June 1979 for 6 years of which 4 years was an active duty obligation. You entered active duty on 19 July 1979 in paygrade E-1 and advanced to Seaman Apprentice on 19 January 1980 and Seaman (SN)/E-3 effective 16 December 1980. On 2 October 1981, you completed the Performance Test for Petty Officer Third Class, followed by completion of Personnel Advancement Requirements for YN3 on 2 February 1982. On 15 February 1982, you were recommended for advancement to YN3/E-4 and thereafter, designated as a YNSN on 2 March 1982. However, on 10 December 1982, you received non-judicial punishment for violation of Article 92 (Dereliction in Duty) and Article 108 (Damaging, Destroying or Losing Military Property) and awarded forfeiture of pay



for 1-month and reduction to next inferior pay grade (suspended for 6 months). On 27 April 1983, your striker identification was withdrawn due to unsatisfactory performance. Commander Fleet Activity, withdrew your recommendation of advancement to YN3 on 4 June 1983 and you were honorably released from active duty on 18 July 1983 in paygrade E-3 and transferred to the Navy Reserve to complete your military service obligation. The Board noted that your DD Form 214, Certificate of Release or Discharge from Active Duty erroneously indicates your rate as YNSN despite the designation being withdrawn. On 13 June 1985, you were honorably discharged from the Navy Reserve with your rate correctly annotated as SN.

The Board could not find, nor did you provided evidence that you regained recommendation for advancement, participated in a NWAE for YN3/E-4, NWAE results, or that you were selected for advancement to YN3/E-4 prior to your release from active duty on 18 July 1983 or your honorable discharge from the Naval Reserve on 13 June 1985. Therefore, the Board determined a change to your record is not warranted.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or 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.

