



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

HD:hd
Docket No: 05153-01
4 December 2001

LT T [REDACTED] USNR
[REDACTED]
[REDACTED]

Dear Lieutenant [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. You requested, in effect, that the date of rank and effective date of your promotion to lieutenant be adjusted from 1 October 2001 to 28 May 2001.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 29 November 2001. 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. In addition, the Board considered the advisory opinion furnished by the Navy Personnel Command dated 9 August 2001, a copy of which is attached. The Board also considered your undated memorandum.

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. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. They also noted that your selection by the first lieutenant promotion board to consider you, by itself, does not require a conclusion that you would have been selected earlier, had your consideration not been deferred. In view of the above, 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

Enclosure



DEPARTMENT OF THE NAVY

NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

5420
PERS-85
9 Aug 01

MEMORANDUM FOR BCNR

Via: BUPERS/BCNR Coordinator

Subj: LTJG [REDACTED] USNR, [REDACTED]

Encl: (1) BCNR File

1. Enclosure (1) is returned, recommending disapproval of LTJG [REDACTED] request.
2. Per SECNAVINST 1420.1A, upon entering active duty, a member must be notified of the one year deferral of being placed before a promotion board and given the guidance as to how to waive the deferral if so chosen. This notification and guidance was included in [REDACTED] orders (BUPERS Order 1939 dated 12 Jul 99).
3. As the [REDACTED] did receive the notification, recommend that his request be denied.

[REDACTED]

BCNR Liaison, Officer Promotions
and Enlisted Advancements Division