



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

HD:hd  
Docket No: 08600-00  
13 July 2001

LCDR [REDACTED] USNR  
[REDACTED]  
[REDACTED]

Dear Comma [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 that your lieutenant commander date of rank be changed from 1 October 1997 (your naval record actually reflects 8 November 1997) to 1 March 2000.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 12 July 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 21 February 2001, a copy of which is attached.

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. Accordingly, 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-86

21 FEB 2001

MEMORANDUM FOR EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF  
NAVAL RECORDS

Via: Assistant for BCNR Matters (PERS-00ZCB)

Subj: REQUEST FOR COMMENTS AND RECOMMENDATION IN CASE OF  
LIEUTENANT COMMANDER [REDACTED] USNR,  
[REDACTED]

Encl: (1) BCNR File 08600-00 w/Service Record

1. Enclosure (1) is forwarded with the recommendation that LCDR  
[REDACTED] request for a date of rank adjustment be denied.

2. LCDR [REDACTED] request for a date of rank adjustment is based  
on SECNAVINST 1427.2B. This instruction allows members who  
transfer from the reserve active status list (RASL) to the  
active duty status list to request an adjustment in their date  
of rank. In this case, LCDR [REDACTED] remained on the RASL and only  
changed his status from a selected reservist to a TAR Officer.  
He therefore is not eligible to have his date of rank adjusted.

3. [REDACTED] can be justifiably proud of his record and  
contributions to the Navy. The negative response to his  
petition does not detract from his honorable service to this  
nation and the United States Navy.

[REDACTED]  
Director, Reserve Officer  
Promotions, Appointments, and  
Enlisted Advancement Division