HD:hd
Docket No: 00445-00
9 February 2001

MR ████████████████████
████████████████
████████████████

Dea███████████

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.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 8 February 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 two advisory opinions furnished by the Navy Personnel Command, one undated and the other dated 19 July 2000, copies of which are 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 undated advisory opinion. Since they found insufficient basis to remove your failures by the Fiscal Year 99 and 00 Naval Reserve Line Lieutenant Commander Selection Boards, they had no grounds to set aside your discharge from the Naval Reserve on 31 March 2000. 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

Enclosures

DEPARTMENT OF THE NAVY
NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

5420
PERS-86

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
       ████████████████████████USNR,██████████████████████

Encl: (1) BCNR File 00445-00 w/Service Record

1. We are returning enclosure (1) with the recommendation that
Lieutenant███████████████equest for removal of two failures of
selection and reaffiliation with the Naval Reserve be denied.

2. Lieutenant███████████asserts that he was never informed that
he needed to request an S-2 status while in the Active Status
Pool. It is our opinion that he should have been aware of his
status and opportunity for promotion while in the Individual
Ready Reserve. Lieutenant ███████████howed no interest in
maintaining an active status in the Naval Reserve until he was
notified of his separation.

3. Lieutenant████████████████████an be justifiably proud of
his record and years of contributions; the negative response to
his petition does not detract from his honorable service to this
nation and the United States Navy.

                        Director, Reserve Officer
                        Promotions, Appointments, and
                        Enlisted Advancement Division

DEPARTMENT OF THE NAVY
NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

5420
PERS-91
19 Jul 00

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
       ███████████████████, USNR, ████████████████

Encl: (1) BCNR file 00445-00 w/Service Record

1. We concur with the comments and recommendation of PERS-86.

Director, Naval Reserve Personnel
Administration Division