



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

CRS
Docket No: 10482-08
7 July 2009

[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.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 1 July 2009. 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.

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.

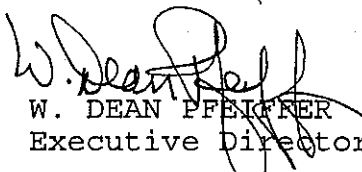
The Board found that you enlisted in the Navy Reserve on 10 July 1985 for a term of 8 years. You performed 172 days of active duty for training during your enlistment, but no periods of inactive duty for training. A Record of Discharge from the U.S. Naval Reserve (NAVPERS 1070/615) dated 30 December 1986 indicates that you were honorably discharged by reason of expiration term of service on that date, as well as discharged under other than honorable conditions and not recommended for reenlistment. An Administrative Remarks entry dated 30 December 1986 indicates that you were discharged by direction of the Commander, Navy Military Personnel Command, with a discharge under other than honorable conditions.

The NAVSO 1070/615 you were issued on 30 December 1986 is a pre-printed form designed to be used when a Sailor was discharged by reason of expiration of term of service (ETS). As you completed less than one-fourth of your enlistment, it is clear that you were ineligible for an ETS separation. The Board noted that for a short period of time in the 1980s the NAVSO 1070/615, with appropriate modifications, was used to memorialize other types of separations. Due to administrative error, the form you received was not properly modified; however, its presence in your official

military personnel file does not alter the actual basis for your separation from the Navy Reserve, or entitle you to an honorable discharge or a positive recommendation for reenlistment. 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