



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

HD:hd
Docket No. 10923-09
18 June 2010

[REDACTED]

[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 your data in the Physical Readiness Information Management System for the Spring and Fall 2006 Body Composition Assessment (BCA) be changed from failed to passed. Your previous request regarding the Fall 2006 BCA, docket number 668-08, was denied on 24 July 2008.

It is noted that the Chief of Naval Operations (OPNAV N135) has made the requested change to the data for the Fall 2006 BCA.

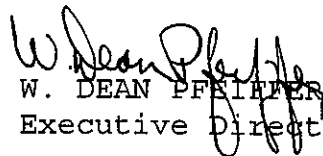
A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 17 June 2010. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, the Board's file on your prior case, and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by OPNAV N135 dated 1 December 2009 with enclosure, 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 for relief beyond that effected by OPNAV N135 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