



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

RDZ:ecb
Docket No. 10300-10
3 February 2011

[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.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 2 February 2011. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary evidence 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, from Headquarters Marine Corps dated 20 September 2010, a copy of which is attached. The Board also carefully reviewed the decision of the Navy Discharge Review Board rendered in February of 2008 a copy of which is also enclosed.

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 and the findings and conclusions set forth in the decision of the Navy Discharge Review Board.

Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.



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regretted that the Board for Correction of Naval Records case are such that
probable action cannot be taken. ²NAVY ANNEX are entitled to have the Board
consider 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