



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

HD:hd

Docket No: 01889-99

30 August 1999

CWO2 [REDACTED] USN
[REDACTED]
[REDACTED]
[REDACTED]

Dear Chief Warrant Officer [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 promotion to CWO3 effective 1 October 1998. While the Board for Correction of Naval Records did not consider this request, as you have not been selected by a duly constituted officer promotion board, they did consider removing your failure by the Fiscal Year (FY) 99 CWO3 Selection Board.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 19 August 1999. 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 27 May 1999, a copy of which is attached. The Board also considered your letter dated 21 June 1999.

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 advisory opinion. Your letter of 21 June 1999 did not clarify what four items were missing from your record before you were considered by the FY 00 CWO3 Selection Board, so the Board was unable to find these items should have been in your record for the FY 99 CWO3 Selection Board. 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

Enclosure

1889-99



DEPARTMENT OF THE NAVY

**NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000**

5420
Ser 85/087
27 May 99

MEMORANDUM FOR BCNR

Via: BUPERS/BCNR Coordinator

Subj: CWO2 [REDACTED] USN, [REDACTED]

Encl: (1) BCNR File

1. Enclosure (1) is returned recommending disapproval of CWO2 [REDACTED] request to remove his failure of selection resulting from the FY99 CWO3 Promotion Selection Board.

2. CWO2 [REDACTED] record reviewed before the FY99 CWO3 Promotion Selection Board was complete. The board had all the required information upon which to make a promotion decision and determined him not best qualified for promotion. Recommend disapproval of his request.

[REDACTED]
[REDACTED]
[REDACTED]
BCNR Liaison, Officer Promotions
and Enlisted Advancements Division