



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

TRG

Docket No: 440-99

15 October 1999

[REDACTED]

Dear [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 13 October 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 opinions furnished by the Navy Personnel Command dated 8 June and 29 July 1999, copies of which are 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. 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

Enclosures

29 Jul 99

MEMORANDUM

From: MA Detailer MAC(SW/AW) Marc J. Owins, USN, 267-57-2619
To: Executive Director, Board of Naval Records

Subj: REQUEST FOR RECOMMENDATION ICO [REDACTED]
[REDACTED]

Ref: (a) PERS-00ZCB ltr of 29 Jul 99
(b) SM2 Lyttleton's undated memo to OIC NTTCDETLAFB TX
(c) OPNAVINST 1440.1C

1. Reference (a) is a request for recommendation for SNM's request for reinstatement to the Master-at-Arms (MA) rating.
2. Reference (b) is SNM's request to be provided an MA "A" School graduation certificate for attending MA class 3-97.
3. On MA class 3-97 graduation day, class photos were delivered. In the photo, SNM was clearly displaying a gang sign with his hands. He was immediately withdrawn from class, pending NJP for article 92 and 134. At the time of his withdrawal, SNM had successfully completed all requirements for graduation, and held a 90.5 grade point average.
4. Due to SNM's failure to successfully complete MA class 3-97, SNM's request should be disapproved. Recommend SNM resubmit an MA rating conversion package, per reference (c). An alternative would be to require the Naval Technical Training Center Detachment Lackland AFB, TX to issue the SNM a certificate of completion and change SNM's status to MA.



M. J. OWINS



DEPARTMENT OF THE NAVY

BUREAU OF NAVAL PERSONNEL
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

IN REPLY REFER TO

1160
PERS-815
24 Jun 99

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORD

Via: Pers-OOZCB

Subj: BCNR PETITION ICO [REDACTED]

Ref: (a) SNM'S DD Form 149 dtd 15 Jan 99

Encl: (1) BCNR File

1. In response to reference (a), there is no decision to be made by Pers 815. Recommend that N132D14 issue an opinion concerning petitioner reinstatement into the Master-At-Arms rating.

2. Enclosure (1) is returned.

A handwritten signature in black ink, appearing to read "S. R. Christy", with a long horizontal line extending to the right.

S. R. CHRISTY
Head,
Reenlistment Incentives Branch



DEPARTMENT OF THE NAVY

NAVY PERSONNEL COMMAND

5720 INTEGRITY DRIVE

MILLINGTON TN 38055-0000

5420

PERS-832C

8 Jun 99

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION
OF NAVAL RECORDS (BCNR)

Via: PERS/BCNR Coordinator (PERS-00ZCB)

Subj: [REDACTED]

Ref: (a) MILPERSMAN 1070-210

Encl: (1) BCNR File 00440-99
(2) Petitioner's Microfiche Record

1. The petition and naval records of subject petitioner have been reviewed relative to his request to be designated as a Master-at-Arms with NEC.

2. The review indicates that part of the punishment at NJP of 23 Apr 97 was mitigated and the record was corrected in accordance with reference (a). The corrected NAVPERS 1070/607 must remain in the record since the NJP was not set aside in its entirety. No further administrative action would be appropriate. However, this petition should be opened to PERS 815C (LATERAL CONV/NC/MA/CRF) for an opinion regarding petitioner's qualifications to be an MA.


C. V. LANGFORD
Technical Advisor To The
Head, Enlisted Performance
Branch (PERS-832)