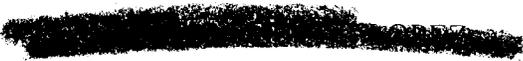




DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

MEH:ddj
Docket No: 5178-02
1 October 2002



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 October 2002. 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 NPC memorandum 1160 Ser 811/323 of 9 August 2002, 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 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



DEPARTMENT OF THE NAVY

NAVY PERSONNEL COMMAND

5720 INTEGRITY DRIVE

MILLINGTON TN 38055-0000

1160

Ser 811/323

09 Aug 2002

MEMORANDUM FOR CHAIRMAN, BOARD FOR CORRECTION OF NAVAL RECORDS

Via: PERS-00ZCB

Subj: BCNR PETITION ICO MA2 [REDACTED] SN [REDACTED]

Ref: (a) SNM's DD Form 149 dtd 24 May 02
(b) OPNAVINST 1160.6A

Encl: (1) BCNR File

1. In response to reference (a), recommend disapproval to the petitioner's request.

a. The petitioner discharged from the U. S. Marine Corps on 02 February 2001 after four years and two months active service. The petitioner discharged paygrade was E-5.

b. The petitioner enlisted in the U. S. Navy on 13 February 2002 for four years. The petitioner's ADSD was adjusted to reflect 12 December 1997 and attain a guarantee to the Master-At-Arms (MA) rate.

c. The petitioner requests broken service SRB or an enlistment bonus for the MA rate that he received on the date of enlistment.

d. Reference (b) offer broken service SRB payment to service members who discharge from active Navy service for more than 24 hours and less than four years. Additionally, per reference (b), prior service members must enlist in paygrade E3 or below if establishing eligibility for an EB via guaranteed class "A" school.

2. In view of the above, recommend the petitioner's record remain as is.

3. This is an advisory memorandum to reference (a) for use by the Board for Correction of Naval Records (BCNR) only. Enclosure (1) is returned.



MMC(SS) USN

Reenlistment Incentives Branch