



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

BJG
Docket No: 4841-01
22 February 2002

MM [REDACTED] USN
[REDACTED]
[REDACTED]

Dear Petty 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 that paragraph 2b (extension data for blocks 14-15 (period of report) of the Evaluation Report Extension letter of 3 February 1997, concerning your enlisted performance evaluation report for 16 December 1995 to 15 November 1996, be changed to reflect an extended ending date of 29 January 1997, vice 30 January 1997.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 21 February 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 the Navy Personnel Command dated 22 October 2001, 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 in concluding they were unable to find any error in the 30 January 1997 extended ending date. In this regard, while they did recognize that the following performance evaluation report, from the new command to which you reported, begins on 30 January 1997, they noted that this date could be erroneous [Bureau of Naval Personnel Instruction 1610.10, enclosure (2), paragraph D-2 says "Begin each Regular [sic] report on the day following the ending date of the previous report"]. 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

4841-01



DEPARTMENT OF THE NAVY
NAVY PERSONNEL COMMAND
5720 INTEGRITY DRIVE
MILLINGTON TN 38055-0000

1610
PERS-311
22 October 2001

MEMORANDUM FOR THE EXECUTIVE DIRECTOR, BOARD FOR CORRECTION OF
NAVAL RECORDS

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

Subj: [REDACTED], U [REDACTED]

Ref: (a) CO, [REDACTED] of
3 February 1997

Encl: (1) BCNR File

1. Enclosure (1) is returned. The member requests his performance evaluation extension letter be changed concerning his report for the period 16 December 1995 to 15 November 1996.

2. Based on our review of the material provided, we find the following:

a. A review of the member's headquarters record revealed the report in question to be on file with the evaluation report extension letter. It is signed by the member acknowledging the contents of the report and his right to submit a statement. The member did not desire to submit a statement.

b. The report in question is a Periodic/Regular report. The member alleges reference (a) is in error and block-15 should indicate 29 January 1997.

c. Further review of the member's headquarters record revealed the member detached from UIC 21247 on 30 January 1997 and reported to UIC 57012 on 30 January 1997.

d. The member record is correct and continuity is maintained.

3. We recommend the member's petition be closed administratively.

[REDACTED]

Performance
Evaluation Branch