



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

TAL  
Docket No: 3122-11  
24 June 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 15 June 2011. 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.

After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice.

You enlisted in the Navy and began a period of active duty on 28 April 2004 at age 20. On 17 September 2009, you received nonjudicial punishment (NJP) for dereliction in the performance of your duty by not stopping your basic allowance for housing (BAH) at the with dependent rate. You failed to supply your personnel support department (PSD) with the proper required documentation needed to add your dependent child to your Dependency Application/Record of Emergency Data (page 2). The punishment awarded was reduction in rate to seaman. Based on the information currently contained in your record it does not reflect you submitted an appeal to the forgoing NJP.

The Board, in its review of your application, carefully weighed all potentially mitigating factors, such as your overall record of more than seven years of honorable service. Nevertheless, the Board concluded these factors were not sufficient to warrant removing the NJP. The Board concluded that sufficient evidence

existed to support the commanding officer's decision to impose NJP. 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