



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE RD SUITE 1001
ARLINGTON VA 22204-2490

BAN
Docket No. 07748-12
14 November 2012

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of 10 USC 1552.

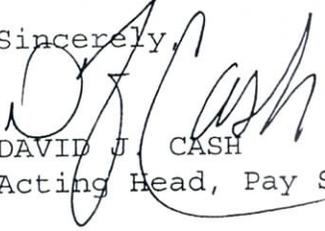
A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 5 November 2012. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. 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. The Board considered the advisory opinion furnished by the Chief of Naval Personnel (CNP) memo 7220 Ser N130C/12U1133 of 26 Sep 2012, a copy of which is attached.

However, 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 making this determination, the Board did not concur with the comments contained in the advisory opinion. Documents in your record show that you fraudulently enlisted in the Navy when you claimed to have zero dependents when, in fact, you had one child. Further, the Board noted you were lucky to receive Basic Allowance for Housing (BAH) at the dependent rate in 2010. Accordingly, your application has been denied for a back dated payment for BAH at the dependent rate from your date of entry in 2008 to 2010. 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 also 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,


DAVID J. CASH
Acting Head, Pay Section