



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

CRS  
Docket No: 12082-12  
12 May 2014

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record dated 14 November 2012, in which you requested correction of your pay grade and reentry code. The Board did not consider your request for correction of your reentry code, as the request was previously denied, and you have not submitted any new material evidence concerning that request.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 14 August 2013. Your allegation 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 that the evidence submitted was insufficient to establish the existence of probable material error or injustice.

The Board found that you enlisted in the Navy on 9 July 2001. On 25 September 2003 you received nonjudicial punishment for the wrongful use of cocaine. The punishment imposed consisted of forfeiture of \$824.00, restriction and extra duty for 45 days, and reduction to pay grade E-4.

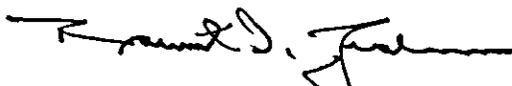
The Board found no merit in your request to be restored to pay grade E-5 with all back pay and allowances. It concluded that your commanding officer acted reasonably in your case, and that

he was in the best position to resolve the factual issues and to impose appropriate punishment. There is no credible evidence that you did not commit the alleged offense. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

The Board did not consider your request to upgrade your characterization of service since you have not applied to the Naval Discharge Review Board (NDRB). I have enclosed NDRB's application form for your convenience.

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,



ROBERT D. ZSALMAN  
Acting Executive Director

Enclosure