



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

2

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Docket No: NR2069-13

15 May 2014

[REDACTED]

Dear Commander [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.

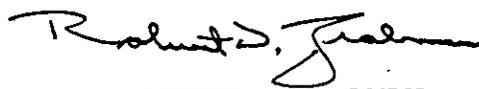
You requested removal of your detachment for cause (DFC) and all related material, removal of your fitness report for 14 October 2008 to 31 October 2009 and all related correspondence, removal of all subsequent fitness reports signed by Lieutenant Commander E. J. P--- (1 November 2009 to 31 October 2010 and 1 November 2010 to 31 October 2011) and their replacement with positive documentation to be entered in your record by the Navy Personnel Command (NPC) (PERS-41), consideration by a special selection board, award of an additional year of eligibility for the Surface Warfare Commander - Command Screening Board, award of credit for a full Surface Warfare Officer (SWO) second department head tour, and reimbursement of \$10,000 for your SWO Career Incentive Pay and Critical Skills Retention Bonus.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 15 May 2014. 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 and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinions furnished by the Navy Personnel Command dated 7 May, 9 December and 17 December 2013 and 10 January 2014, copies of which are 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 advisory opinions dated 7 May, 9 December and 17 December 2013. Since the Board found insufficient basis to grant relief regarding your DFC or fitness reports, it had no grounds for favorable action on any of your other requests. 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,



ROBERT D ZSALMAN
Acting Executive Director

Enclosure