



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

HD

Docket No: NR8564-13

24 April 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 restoration to the Fiscal Year 13 Navy Reserve Line Commander Promotion List; promotion to commander with the date of rank and effective date you would have received, had you not been removed from the promotion list; and removal of all adverse information.

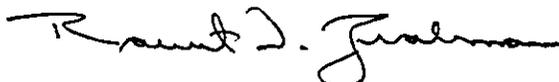
A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 24 April 2014. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. 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 opinion furnished by the Navy Personnel Command dated 19 February 2014, a copy of which is attached. The Board also considered your Counsel letter dated 16 April 2014.

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 opinion. The Board found that the adverse information in your record did result in more than a non-punitive rehabilitative counseling administered by a superior to a subordinate, in that it resulted in

your removal from the promotion list. 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

Copy to:
