



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001

TAL
Docket No: 5361-14/
2427 07
14 October 2014

5 U.S.C. 552(b) (6)

Dear 5 U.S.C.

This is in reference to your reconsideration request dated 11 March 2014 with enclosures. You previously petitioned the Board and were advised in our letter of 16 January 2008, that your application had been denied.

Your current request has been carefully examined by a three-member panel of the Board for Correction of Naval Records, sitting in executive session on 8 October 2014. Documentary material considered by the Board consisted of your application, any material submitted in support of your application, and prior case file.

After careful and conscientious consideration of the entire record, the Board determined the letter from the Department of Veterans Affairs stating you are being treated for service connected medical conditions including post-traumatic stress disorder (PTSD), even though not previously considered by the Board, was insufficient to establish the existence of material error or injustice. The Board noted your letter did not supply a diagnosis and determined it was not enough to outweigh the significant misconduct you committed while on active duty. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regrettable 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 within one year from the date of the Board's decision. New evidence is evidence not previously considered by the Board prior to making its decision in your case. In this

regard, it is important to keep in mind that a presumption of regularity attaches to all official record, the burden is on the applicant to demonstrate the existence of material error or injustice.

Sincerely,

5 U.S.C. 552(b) (6)

ROBERT J. O'NEILL
Executive Director