



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

EGA  
Docket No: 9612-14  
16 January 2015

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

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

This is in reference to your reconsideration request dated 21 August 2014. You previously petitioned the Board and were advised in our letter of 3 August 2006, 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 14 January 2015. The names and votes of the members of the panel will be furnished upon request. Documentary material considered by the Board consisted of your application and any material submitted in support of your application.

After careful and conscientious consideration of the entire record, the Board determined that the decision of the Department of Veterans Affairs (DVA) to recharacterize your service for VA purposes, even though not previously considered by the Board, was insufficient to establish the existence of probable material error or injustice. The Board determined that the DVA decision was not enough to outweigh the significant misconduct you committed while serving on active duty. Accordingly, your application has been denied.

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 within one year from the date of the Board's decision. 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,

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

ROBERT J. O'NEILL  
Executive Director