



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

BC
Docket No: 00234-14
23 September 2014

[REDACTED]

[REDACTED]

This is in reference to your client's reconsideration request dated 1 August 2013, with enclosures. He previously petitioned the Board and was advised in our letter of 30 September 2010, that his application had been denied.

His current request has been carefully examined by a three-member panel of the Board for Correction of Naval Records, sitting in executive session. Documentary material considered by the Board consisted of his application, any material submitted in support of his application, and his previous case file.

After careful and conscientious consideration of the entire record, the Board determined his request to change the narrative reason for separation, adjust his discharge date to reflect retired with back pay, was previously considered by the Board, and found the evidence was insufficient to establish the existence of material error or injustice. The Board determined that based on the fact that he received and completed a level III alcohol rehabilitation program, was fully aware of the requirements, and failed by having another alcohol related incident, there was nothing to review other than his request and enclosures. Accordingly, his reconsideration request 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 his case are such that favorable action cannot be taken. He is 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 his case. 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 record, the burden is on the applicant to demonstrate the existence of material error or injustice.

Sincerely,

A handwritten signature in black ink, appearing to read "R. J. O'Neill", written in a cursive style.

ROBERT J. O'NEILL
Executive Director