



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

BAN
Docket No. NR00260-14
26 March 2014

[REDACTED]

This is in reply to your request for reconsideration on your application to BCNR dated 27 September 2013.

A review of our files reveals that in March 2006, you petitioned the Board seeking a change to your record to reflect that you were selected for advancement to E-7.

On 20 June 2006, after careful consideration of your request, the Board heard your case and found insufficient evidence of an error or injustice that would warrant the relief you sought. Therefore, you were sent a letter on 20 June 2006, stating that your case was denied.

In May 2007, you requested a reconsideration of that decision. A case may be reconsidered only upon submission of new and material evidence not previously considered that would have a direct impact on the prior decision. New evidence is defined as evidence not previously considered by the Board and not reasonably available to you at the time of your previous application. Evidence is considered to be material if it is likely to have a substantial effect on the outcome of the prior Board's decision. In other words, even if your information was presented to the Board, the decision would have inevitably been the same. On 20 June 2007, you were sent a letter stating that your reconsideration was not appropriate at that time and that it was regretted that the facts and circumstances of your case were such that a more favorable reply cannot be made.

In June 2010, you then submitted another letter requesting a reconsideration of your request. Again, your request was denied on 22 July 2010, based on that fact that no new or material evidence was presented. In November 2012, you presented another request asking for a reconsideration of the Board's previous denial decisions. Your case was denied on 18 December 2012.

On 27 September 2013, you have submitted yet another request for reconsideration and you still have not provided any new or material evidence to warrant a change to your record.

Under these circumstances it appears that you may wish to contemplate initiating action in federal court.

I regret that the circumstances are such that a more favorable determination cannot be made.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert D. Zsalmán".

ROBERT D. ZSALMAN
Acting Executive Director