

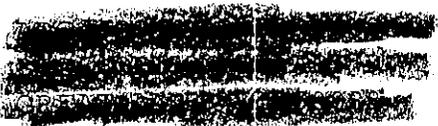


DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

HD

Docket No: NR2338-14

12 March 2015



Dear [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 that your enlisted performance evaluation report for 16 September 2011 to 27 August 2012 be removed; that you be advanced to ADCS (pay grade E-8) on the date your lineal number would have caused you to be advanced; that the service record page 13

("Administrative Remarks") entries dated 27 August 2012 relating to defrocking and withdrawal of recommendation for advancement be removed; that you receive back pay from the date of your advancement to the present; that you receive credit for time in grade for pay, advancement and retirement purposes from the date of your advancement to the present; and that your Navy Enlisted Classification (NEC) codes of 9508 (RDC (recruit division commander)) and 9502 (instructor) be restored.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 12 March 2015. 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 opinions furnished by the Navy Personnel Command dated 16 July and 4 December 2014, copies of which are attached. The Board also considered your counsel's letter dated 28 February 2015 with attachments.

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 opinions. Accordingly, 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 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 this 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 naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,



ROBERT J. O'NEILL
Executive Director

Enclosure

Copy to:
Mr. Gary Myers