



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

JET
Docket No. NR0757-14
10 Sep 14

[REDACTED]

[REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of 10 USC 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 10 September 2014. 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, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by CNO Memo 7220 Ser N130D2/14U0971 of 21 Jul 14, a copy of which is attached.

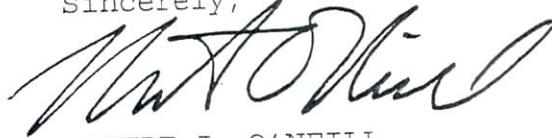
After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In making this determination, the Board concurred with the comments contained in the advisory opinion. In particular, the Board found that per your own statement you voluntarily requested to separate from the Navy early rather than serve in another rating. "Unable to continue in his chosen career path and forced pay back over one-half of his base pay for the remainder of his Navy career, MM1 Pomaville voluntarily separated from the Navy on 15 May 2013."

Furthermore, the Board found that under MILPERSMAN 1910-120 Attention deficit hyperactivity disorder (ADHD) is one of the conditions which do not amount to a disability per NAVADMIN 273/12, and which warrants recoupment of the unearned portions of bonuses. 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 and material evidence or other matter not previously considered by the Board. 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,

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

ROBERT J. O'NEILL
Executive Director

Enclosure: CNO Memo 7220 Ser N130D2/14U0971 of 21 Jul 14