



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

[REDACTED]  
Docket No. 4064-16  
6790-99  
4572-96  
MAY 26 2017

[REDACTED]  
Dear [REDACTED]

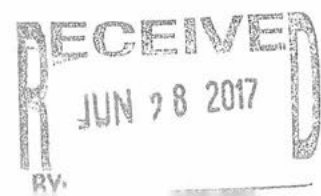
This is in reference to your application for correction of your naval record pursuant to the provisions of 10 U.S.C. 1552. Your case was reconsidered in accordance with new Board for Correction of Naval Records procedures that conform to *Lipsman v. Secretary of the Army*, 335 F. Supp. 2d 48 (D.D.C. 2004). You initially petitioned this Board for relief and it was denied on 17 December 1996. You then submitted petitions on two other occasions for reconsiderations of your case, which were denied relief by this Board on 5 April 1999 and 15 November 1999.


Your current request for reconsideration has been carefully examined by a three-member panel of the Board for Correction of Naval Records, sitting in executive session, on 22 February 2017. 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 for Correction of Military Record (DD Form 149), any material submitted in support of your application and your prior case file.

After careful and conscientious consideration of the entire record, the Board determined your application with attachments, though not previously considered by the Board, was insufficient to establish the existence of material error or injustice. The Board considered your contentions that "Hypnosis upon me at Dec. 18<sup>th</sup> 1981 Summary Court-Martial, [REDACTED] presiding, impaired me to forget case. Simply-U.S.A. Navy in violation of 1<sup>st</sup> and 2<sup>nd</sup> Amendment U.S.A. Constitution thus my UA's were truly [REDACTED] on strike per law."

The Board taking all this into consideration, has determined that the new material though not previously submitted, is not enough to outweigh your misconduct committed while on active duty. Accordingly, your request has been denied.

It is regretted that the circumstances of your reconsideration petition are such that favorable action cannot be taken again. 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



  
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record, the burden is on the applicant to demonstrate the existence of probable material error or injustice. The decision of the Board is final, and in the absence of sufficient new and material evidence for reconsideration, your only recourse would be to seek relief, at no cost to the Board, from a court of appropriate jurisdiction.

Sincerely,



Executive Director