



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

[REDACTED]
Docket No: 7048-16 /
5437-15
6 October 2017

[REDACTED]
Dear [REDACTED]

This is in reference to your latest reconsideration request received on 9 August 2016. You previously petitioned the Board on 26 May 2015, and were advised that your application had been denied.

A review of your current request revealed that it does not contain any new evidence not previously considered by the Board. Please be advised that current policy instructs the Board to reconsider its decision upon submission of new and material evidence. New evidence is evidence not previously considered by the Board; no such evidence was found in review of your application.

In regards to your contention that you had no prior incidents of drug related conduct, your commanding officer made the following comments in your recommendation for discharge dated 2 December 1971, "During his trial in [REDACTED] [REDACTED] acknowledged that he had used drugs while in [REDACTED]. He also acknowledged to a medical officer that he is a frequent user of marijuana... It is felt that [REDACTED] will serve no useful purpose because he has not demonstrated any motivation for future Naval service and it is not believed he will abstain from further drug use." A copy is included as the enclosure.

It is regretted that the circumstances of your reconsideration petition are such that favorable action cannot be taken again. You are entitled to have the Board reconsider its decision upon the submission of new and material evidence. New evidence is evidence not previously considered by the Board. In the absence of sufficient new and material evidence for reconsideration, the decision of the Board is final, and your only recourse would be to seek relief, at no cost to the Board, from a court of appropriate jurisdiction.

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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,

[REDACTED]

Deputy Director

Enclosure