



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

Docket No. 7051-16

DEC 29 2016

Dear [REDACTED]

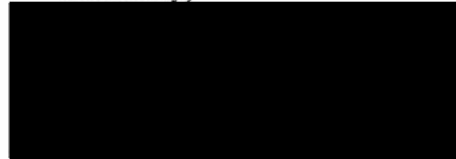
This is in reference to your application for correction of your naval record pursuant to the provisions of 10 USC 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 11 August 2016. 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. The advisory opinion provided in NSTC Ltr 5400 Ser N00/0014 dated 23 January 2015 was sent to you on 9 March 2015 for an opportunity to comment. You provided a response on 19 May 2015. Based on new matters you raised in your response, another advisory opinion provided in NSTC Ltr 5400 Ser N00/0883 dated 3 November 2015 was obtained addressing those matters and sent to you on 30 November 2015 for an opportunity to comment prior to being considered by the Board. You provided a response on 18 July 2016. These advisory opinions are enclosed with this letter. Both of your responses were considered by the Board when making its recommendation on your request.

In regard to your request for a personal appearance, be advised that Board regulations state personal appearances before the Board are not granted as a right, but only when the Board determines that such an appearance will serve some useful purpose. In your case, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of the record. 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 comments contained in the advisory opinion. The Board felt that although you did not receive Navy Substance Abuse Rehabilitation Program (SARP) screening and treatment, that fact did not negate the validity of the disenrollment from the Navy Recruit Officer Training Program (NROTC) due the severity of your misconduct. The Board did not find any error or injustice in the administrative processing of your disenrollment, including the Commanding Officer's disenrollment recommendation. Finally, the Board felt that the seriousness of your misconduct substantially outweighed your academic performance or future potential in the U.S. Navy. 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,

A large black rectangular redaction box covering the signature of the Executive Director.

Executive Director

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