



Regarding your request for retroactive promotion to E-7, your application was bifurcated into two cases to properly address the performance and disability issues. Your performance issues will be adjudicated by the Board as part of case number NR20200008205. You will be notified by separate correspondence of the Board decision in that case.

It is regretted that the circumstances of your reconsideration petition are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon the submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or considered by the Board. In the absence of new matters 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.

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,

12/22/2020

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Signed by:

A black rectangular redaction box covering the name of the signatory.