



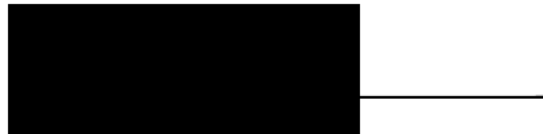
without authority, wearing a Combat Action Ribbon and an inappropriate number of service stripes. You were also issued a Page 11 counseling entry regarding non-recommendation for promotion due to your 9 March 2018 NJP. Lastly on 11 May 2018, you were issued a 6105 counseling for a violation of Article 92 of the UCMJ, dereliction of duty, after your performance as a canvassing recruiter failed to meet specific and attainable recruiting goals.

The Board, however, noting you did not provide any additional information regarding your contended “coercive command environment” or explanation for your “fear of reprisal,” determined you were provided opportunities to submit rebuttal statements at the time of the events, and a statement in response to those Page 11 entries, more than three years later, is not timely. Further, the Board noted a more appropriate course of action would be for you to submit your explanation regarding the entries to promotion boards for which you become eligible, or during your reenlistment process. The Board concluded there is insufficient evidence of an error or injustice warranting the submission of rebuttal statements to the four noted Page 11 entries.

You are entitled to have the Board reconsider its decision upon 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 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,

10/5/2021

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Executive Director

Signed by

A black rectangular redaction box covers the name of the Executive Director.