



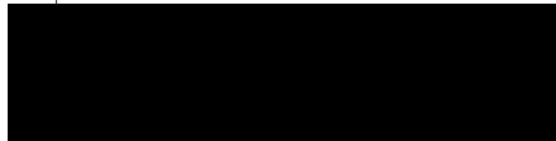
marking is factually inaccurate because your late arrivals for accountability were “very clearly justified” by your insomnia diagnosis by the very psychiatrist the RS recommended.

The Board, however, substantially concurred with the AO and the PERB decision that the report is valid as written and filed, in accordance with the applicable Performance Evaluation System (PES) Manual guidance. In this regard, the Board noted your command processed the derogatory 6105 counseling entry subsequent to your insomnia diagnosis which clearly suggests the command did not consider your documented lapses as directly attributable to insomnia. The Board concurred with the AO’s comment that the fact you were found “fit for fully duty” by the psychiatrist significantly detracts from the argument your fitness report should be removed due to the diagnosed medical condition. Additionally, the Board noted the adverse nature of the report was supported not only by the 6105 entry but also the lack of a promotion recommendation from the RS and the Reviewing Officer (RO) and an “unsatisfactory” RO comparative assessment. The Board concluded your request is lacking in substantial evidence of error or injustice warranting removal.

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,

12/23/2021

A large black rectangular redaction box covering the signature area.

Deputy Director

Signed by: 