



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

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Docket No. 3362-21
Ref: Signature Date

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Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your application on its merits. A three-member panel of the Board, sitting in executive session, considered your applications on 9 December 2021. The names and votes of the members of the panel will be furnished upon request. 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 applications, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations and policies, as well as the Advisory Opinion (AO) provided by the Navy Personnel Command (PERS-32). The AO was provided to you on 2 November 2021, and although you were afforded an opportunity to submit a rebuttal, you did not do so.

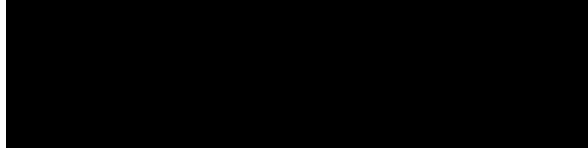
The Board carefully considered your request to be issued a Letter of Extension (LOE) for your 16 March 2015 to 15 November 2015 Evaluation Report & Counseling Record (Eval). The Board considered your contention that the Eval should account for all time during service. You assert that without the extension in your record, there is a gap in performance that is not account for.

The Board, however, substantially concurred with the AO, specifically, that you can correct this error administratively with a LOE from the originating command or a Statement in Lieu of the missing report if you are unable to obtain the LOE. The Board noted that there is no record of you taking action as recommended by PERS-32 and advises you to do so. Accordingly, the Board determined that no corrective action beyond that recommended by PERS-32 is warranted.

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,

12/24/2021



Deputy Director

Signed by:

