



The Board noted that the original unit punishment book (UPB) entry, with the Article 121 redacted, was in your OMPF for review by the FY19 and FY20 promotion boards. In addition, the Board noted that the adverse fitness report documenting the NJP for Article 80 remains in your record. The Board concluded there is a lack of evidence to support your contention that the fitness report modifications were substantive changes that would have influenced the promotion board's decision. Consequently, the Board determined there is no evidence of material error or injustice regarding your non-selection for the FY 2019 board and that your request for a backdated promotion to GySgt is not 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,

2/9/2022

Executive Director