



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: 7471-21

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.

A three-member panel of the Board, sitting in executive session, considered your application on 8 March 2022. 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 application, together with all material submitted in support thereof, relevant portions of your naval record, and applicable statutes, regulations, and policies.

Regarding your request for a personal appearance, the Board determined that a personal appearance with or without counsel will not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

The Board carefully considered your request to remove the 3 March 2020 Report of Misconduct (ROM) and all related adverse material. The Board considered your contentions that your Board of Inquiry (BOI) unanimously found no basis for the alleged misconduct and no evidence of misconduct. You also contend that the ROM was derived from an inconclusive Command Investigation (CI) and evidence that was not brought forward before the ROM was presented at the BOI. You acknowledged that while the BOI is for retention, the evidence and testimonies brought forward were dramatically contradictory from the ROM. As evidence, you furnished correspondence from a former peer.

The Board, however, determined that your ROM is valid and should remain in your record as filed. In this regard, the Board noted that the Commanding General, █

