



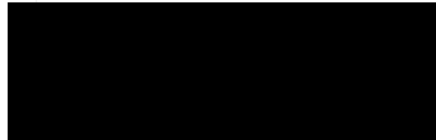
retained by a majority vote that concluded the preponderance of the evidence did not warrant separation for cause.

After a review of the evidence, the Board agreed with the AO that you have not demonstrated an error or injustice that warrants the removal of the fitness report. As explained in the AO, "NJPs and BOIs are separate administrative proceedings, each serving different purposes." Therefore, a finding by a BOI that the basis for separation is not substantiated does not, necessarily, negate a finding of guilt at NJP. In your case, the Board noted that the NJP record contained strong, unrefuted evidence of your guilt including your admission of wrongdoing and a guilty plea. Based on this evidence, the Board concluded insufficient evidence of error or injustice exists to warrant relief.

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,

6/6/2022

A large black rectangular redaction box covering the signature of the Executive Director.

Executive Director

Signed by

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