



further noted that the RS adequately invoked exception to policy in compliance with the PES Manual guidance in effect at report processing and as such, he clearly explained in the Section I comments why he wrote an observed report on you. Furthermore, the Board also agreed with the AO conclusion that the RS was not specifically required to include your accomplishments within Section I. The Board thus concluded that your request to remove the report or modify to "Not Observed" is lacking in sufficient evidence of error or injustice. In making this finding, the Board took into consideration that you have twice promoted since the issuance of the report. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit 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,

7/19/2022

