

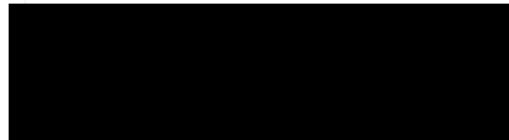


Board agreed with the AO that there was insufficient evidence of non-availability during the reporting period. In making this finding, the Board was not persuaded by the RS' equivocal statement regarding possible non-availability periods. As stated in the AO, if you have documented evidence of MRO or RS non-availability, then you must produce evidence of it. Absent such evidence, the Board determined that the contested report contains no material error or injustice warranting its removal or modification. 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,

9/14/2022



Executive Director

Signed by:

