



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE ROAD, SUITE 1001  
ARLINGTON, VA 22204-2490

█  
Docket No. 7232-22  
Ref: Signature Date

█  
█  
█  
  
Dear █,

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 10 November 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.

The Board determined that your personal appearance, with or without counsel, would 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.

You requested date of rank be corrected to 18 April 2020. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. However, the Board concluded that Chief of Naval Operations Instruction 1427.2A, "The date of rank of officers appointed as ensigns in the Navy in May or June of any year is the same as the date of the graduation of the class of midshipmen of the United States Naval Academy in that year." A review of your record indicates you graduated from the Air Force Academy on █. The Secretary of Defense (SECDEF) approved your appointment as an Ensign in the Navy for 22 May 2020. On 30 May 2020, you accepted the Oath of Office as an Ensign with Permanent and Present Grade Date of 22 May 2020. The Board could not find, nor did you provide evidence of SECDEF approval prior to 22 May 2020, thereby rendering you ineligible for an earlier date of rank.

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,

11/18/2022

█

Deputy Director

█