



express regret and take responsibility for your actions. For purposes of clemency consideration, the Board reviewed the two statements from shipmates who were present during the incident that led to your discharge and your letter of commendation for service during a 1998 deployment.

Based upon this review, the Board concluded that your potentially mitigating factors were insufficient to warrant relief. Specifically, the Board reviewed the evidence you submitted as a matter of clemency, and determined it did not mitigate the misconduct you committed. In making this finding, the Board considered the seriousness of your misconduct, which included two violent offenses. The Board concluded that you showed complete disregard of military authority and regulations. Further, the Board also considered the likely negative impact your conduct had on the good order and discipline of your unit. The Board further concluded that the discharge was proper and equitable under standards of law and discipline and that the discharge accurately reflects your conduct during your period of service, which was terminated by your discharge. Accordingly, given the totality of the circumstances, the Board determined 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,

12/4/2022

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Executive Director

Signed by: █