



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

█  
Docket No. 9541-22  
Ref: Signature Date

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█  
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Dear Petitioner:

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 5 January 2023. 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 carefully considered your comment "False statements, DUI" in block 12 of the DD Form 149. Without a statement or further explanation of the correction and/or relief you are requesting, the Board, noting your block 14 explanation of "why" the "correction should be made," determined you were requesting removal of the nonjudicial punishment (NJP) in your record. The Board further considered your contention the NJP "was not a conviction" and you "complete[d] [your] NJP" and were honorably discharged. Additionally, the Board considered your contention the NJP is affecting and/or has the potential to negatively impact future job possibilities.

The Board noted you received NJP on 31 August 2020 for providing a false official statement to the Criminal Investigation Division and operating your privately owned vehicle while under the influence of alcohol. The Board further noted the Commanding Officer issued you an Administrative Remarks (Page 11) counseling entry and notified you that the NJP affected your promotion recommendation on 31 August 2020. The Board considered your contentions that the NJP was not a conviction, you were honorably discharged, and the NJP had the potential to impact future employment, but noted you did not provide any additional information or supporting evidence for consideration. The Board determined there was insufficient evidence of an error or

injustice in the NJP and concluded the NJP should remain unchanged in your Official Military Personnel File.

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,

1/30/2023

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Deputy Director

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