



did not approve the list until 15 June 2023. Pursuant to Title 10 U.S. Code §14308, officers selected for promotion are not placed on a promotion list until the Board report is approved by the President. In this regard, the Board further noted pursuant to Title 10 U.S. Code §14310, under regulations prescribed by the Secretary concerned, if an officer on the RASL is discharged or dropped from the rolls or transferred to a retired status after having been recommended for promotion to a higher grade, but before being promoted, the officer's name shall be administratively removed from the list of officers recommended for promotion by a selection board. Finally, the Board noted you requested to voluntarily retire prior to the promotion board and you were properly removed in accordance with the regulations. Thus, the Board concurred with the AO and concluded that there is no probable material error, substantive inaccuracy, or injustice warranting your reinstatement to active duty or promotion to CDR/O-5. 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,

12/3/2023

