



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

█  
Docket No. 8210-23  
4269-23

Ref: Signature Date



Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Title 10, United States Code, Section 1552. 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.

Because your application was submitted with new evidence not previously considered, the Board found it in the interest of justice to review your application. Your currently request has been carefully examined by a three-member panel of the Board, sitting in executive session on 23 October 2023. The names and votes of the panel members 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 the 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 were previously denied relief by this Board on 5 June 2023.

The Board carefully considered all potentially mitigating factors to determine whether the interests of justice warrant relief in your case. These included, but were not limited to, your desire to be awarded the Medal of Honor – or lower – for gallantry and valor during your deployment to █ with the █. You contend that: (1) your actions deserve merit and accolades, (2) your Commanding Officer intentionally overlooked your actions because he despised you as you had previously suspected him of child sexual crimes and reported this to the authorities, and (3) these combat events were significant.

For purposes of clemency and equity consideration, the Board noted you provided a personal statement, USMC [REDACTED] correspondence dated 1 Aug 2015, FOIA (Freedom of Information Act) Request Gmail correspondence, BCNR decision letter 4269-23, and redacted documents approved for release correspondence.

After thorough review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board noted you cannot nominate yourself for a Personal Military Decoration (PMD). SECNAV M-1650-Navy-Marine Corps Awards Manual Chapter 2.2.a(1) states:

A nomination for a PMD may only be officially originated by a commissioned officer of the U.S. Armed Forces, who was senior in grade or position to the awardee at the time of the distinguishing act or the period of meritorious service. A nomination for a PMD may also be originated by a DoD civilian, equivalent to a GS-11 or above, who was senior in grade and position to the awardee, and who by virtue of his or her supervisory position had some knowledge of the distinguishing act or meritorious performance.

As a result, the Board concluded insufficient evidence of error or injustice exists to change your record. While the Board carefully considered the evidence you submitted in support of your application, even in light of the Wilkie Memo and reviewing the record holistically, the Board did not find evidence of an error or injustice that warrants granting you the relief you requested or granting relief as a matter of clemency or equity. Accordingly, given the totality of the circumstances, the Board determined your request does not merit relief.

The Board thanks you for your selfless service to our country and wishes you continued success.

You are entitled to have the Board reconsider its decision upon the 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 is attached 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,

11/17/2023

[REDACTED]