



included, but were not limited to your desire for a change in your service status and your contention that you were recalled to active duty “for about seven months” in response to the contingency operation declared by President Bush and assigned to the Emergency Department at the █. For purposes of clemency and equity consideration, the Board noted you did not provide supporting documentation of your contention.

After thorough review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined your record lacks any evidence to support your contention that you were recalled to active duty. The Board thoroughly reviewed your record, to include your history of assignments and evaluations, but nothing in the service record indicates a period of recalled active duty service. The NAVPERS1070/605 (History of Assignments) indicates that you were assigned to █, from 31 August 2001 to 31 October 2003. It does not indicate assignment or activation to the active component. There is a gap in your evaluations from 16 July 2001 to 16 June 2002, which makes it impossible to determine your assigned command, duties, or reporting senior. Without substantiating documentation, to include specific dates of active service, the Board determined insufficient evidence of error or injustice exists in your record. 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 supporting evidence, as described above, which will require you to complete and submit a new DD Form 149. Supporting evidence (i.e. new matters) are those not previously presented to or considered by the Board. The Board highlighted that evaluations, orders, or additional administrative documentation covering that period would aid them in determining if relief is warranted. 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,

2/1/2024

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Executive Director

Signed by: █