



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

Docket No: 6623-17

DEC 26 2017

Dear [REDACTED]

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

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 15 November 2017. 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, your naval record, and applicable statutes, regulations, and policies.

On 26 September 2016, you received nonjudicial punishment (NJP) for drunken or reckless operation of a vehicle and reckless endangerment. As your punishment, you were awarded a Punitive Letter of Reprimand. The record reflects that you did not submit an appeal of your NJP.

The Board carefully considered your desire to remove Field Code [REDACTED] Document ID [REDACTED] (Report of Misconduct) and Field Code [REDACTED] Document ID [REDACTED] (Status in the U.S. Navy) from your Official Military Personnel File (OMPF). The Board also considered your submission of the Municipal Court of City of [REDACTED] judgment of 29 June 2017. The Board considered your contention that both records of adverse and punitive information were based off civil charges against you. Per the letter from the Municipal Court of the City of [REDACTED] all charges against you were not adjudicated and were dismissed. The Board concluded these factors were not sufficient to warrant the removal of the documents from your OMPF. In this regard, the Board concludes that each Field Code provides different information that relates to your NJP and your status in the navy. Accordingly, your application has been denied.

It is regretted that the circumstances of your case are such that favorable action cannot be taken at this time. You are entitled to have the Board reconsider its decision upon the submission of new and material evidence. New evidence is evidence not previously 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,



Executive Director