



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

Docket No: 6729-17

DEC 28 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 25 October 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, relevant portions of your naval record, and applicable statutes, regulations, and policies.

The Board, in its review of your entire record, application and supporting documentation carefully considered your desire to remove all adverse material from your Official Military Personnel File (OMPF). The Board considered your contention that all charges, in regards to the situation described within the adverse material, were dropped in civil court, and that all administrative proceedings have ceased and you have not incurred any other officer misconduct. The Board concluded these factors were not sufficient to warrant relief. In this regard, the Board noted that the Report of Misconduct and related material were warranted, and the Report of Misconduct is appropriately maintained in your OMPF in accordance with Marine Corps Order P1070.12K, which states in part that "correspondence containing adverse material...that bears or reflects on the character, performance, professional qualifications and fitness of the officer...is filed in the OMPF." 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

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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