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

[redacted]
Docket No: 10670-19
Ref: Signature Date

[redacted]

Dear [redacted]

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

Your application was not filed in a timely manner. A three-member panel of the Board for Correction of Naval Records (Board), sitting in executive session, considered your application on 20 August 2020. After careful consideration, the Board determined that it would not be in the interest of justice to excuse your failure to submit your application in a timely manner.

You were discharged on 28 April 1983 with an under other than honorable characterization of service. However, you did not file your application with this Board, until 5 November 2019, over 36 years after your discharge. According to your application, you discovered the alleged error or injustice in your record on 10 October 2019.

The Board determined that there was insufficient reason to find it in the interest of justice to excuse your failure to submit your application in a timely manner. In reaching this conclusion, the Board determined your request for consideration is denied due to the length of time since your discharge and lack of evidence to support your contention.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. 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 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,

12/18/2020

[redacted]

Executive Director
Signed by: [redacted]