



The Board carefully weighed all potentially mitigating factors, such as your desire to upgrade your discharge and contention that you were unjustly treated. You contend you were not offered any defense or counseling at the time of your discharge. You further contend you were given harsh punishment given your age. You assert you were onboard your ship weeks after your enlistment was over.

The Board noted you failed to provide evidence, and your record did not contain evidence to support your contentions. The Board also noted the lack of available records. In such cases, the Board relies on a presumption of regularity to support the official actions of public officers and, in the absence of substantial evidence to the contrary, will presume that they have properly discharged their official duties. The Board further noted your repeated misconduct, which resulted in three NJPs. After careful consideration of your contentions, the Board did not find evidence of an error or injustice that warrants upgrading your characterization of service.

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

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Executive Director

Signed by: █