



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

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Docket No. 1061-24
Ref: Signature Date

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Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your brother's naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your application on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 29 March 2024. The names and votes of the panel members 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 the 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, to include the 25 July 2018 guidance from the Under Secretary of Defense for Personnel and Readiness regarding equity, injustice or clemency determinations (Wilkie Memo).

Your entered active duty with the Navy on 20 August 1974. On 19 February 1975, you received non-judicial punishment (NJP) for unauthorized absence (UA) for 10 days and missing ship's movement. On 29 May 1975, you received your second NJP for two specifications of UA, two specifications of disobeying a lawful order, and disobeying a lawful general regulation. On 7 January 1976, you received another NJP for two specifications of UA totaling 19 days. Subsequently, you went UA until 12 January 1976. On 26 January 1976, you were formerly counseled on not being recommended for reenlistment due to substandard performance. Consequently, you were notified of pending administrative separation action by reason of substandard performance.

Unfortunately, not all the documents pertinent to your administrative separation are in your official military personnel file (OMPF). Notwithstanding, the Board relies on a presumption of regularity to support the official actions of public officers and, in the absence of substantial

