



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

██████████
Docket No. 5593-24
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 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.

A three-member panel of the Board, sitting in executive session, considered your applications on 9 July 2024. 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 applications, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations and policies, as well as the 29 May 2024 Advisory Opinion (AO) provided by Navy Personnel Command (PERS-32). Although you were provided an opportunity to respond to the AO, you chose not to do so.

The Board carefully considered your request to remove the Evaluation Report & Counseling Record (Eval) for the reporting period 16 June 2023 to 18 September 2023. The Board considered your contention that a previous command submitted a duplicate detachment of individual report as well as your assertion that an administrative correction letter would be submitted [to PERS-32] to correct the dates.

However, the Board substantially concurred with the AO that the contested Eval is valid, but will need an administrative change letter to correct the ending date to match the transfer date information. The AO further notes the Eval ending 17 June 2023 has different performance trait grades and promotion recommendation, and is not a duplication of the Eval in question. The Board determined you provided insufficient evidence warranting the requested relief since your Eval can be corrected administratively by way of an administrative change or supplementary material pursuant to the BUPERS Instruction 1610.10F (EVALMAN). Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

You are entitled to have the Board reconsider its decision upon 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,

7/29/2024

