



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

██████████
Docket No. 11230-24
1900-24
Ref: Signature Date

████████████████████
████████████████
████████████████

Dear ██████████,

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 application on 5 December 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 application, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations and policies.

The Board determined your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined a personal appearance was not necessary and considered your case based on the evidence of record.

The Board noted your previous request, Docket No. 1900-24, requested the same relief as your current submission. Due to the new evidence – a final order from ██████████ – the Board considered your request¹ to remove the Unit Punishment Book (NAVMC 10132) dated 14 July 2023. You again contend your commanding officer (CO) set aside the nonjudicial punishment (NJP) after the civil case was settled due to a conflict of evidence and discrepancies adjudicated by the hearing officer.

However, the Board determined the new evidence, which did not address your driving under the

¹ Although you did not specifically request removal of the corresponding Administrative Remarks (Page 11) entries, the Board also considered removal of the Page 11 entries because it noted the entries were specifically written regarding your NJP of 14 July 2023.

influence charge but only the suspension of your driving privileges, did not overcome the decision of the previous Board. Further, the Board, noting you still did not provide any documentation or evidence to support your contention the CO had set aside the NJP, presumed regularity in the CO's decision to impose NJP and issue the Page 11 entries. Based on the available evidence, the Board concluded there is insufficient evidence of an error or injustice warranting your requested 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,

1/17/2025

