



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

██████████  
Docket No. 12257-24  
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 4 March 2025. 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 carefully considered your request to remove your 22 July 2015 Unit Punishment Book entry denoting your nonjudicial punishment (NJP) and granting back pay associated with the loss of rank. You argue undergoing a NJP was unjust as other Marines who were also subjected to the same NJP for the same issue, attending the hotel party, had their NJP set-aside, received only a Page 11 entry and were granted back pay. You included with your petition an article stating that your commanding officer (CO) was relieved of command. Additionally, you stated in your application that “[you] fully acknowledge that attending a location [you were] briefed not to visit was a mistake, and [you] take full responsibility for [your] actions” and “believe that the punishment [you] received was disproportionate to the situation. [You are] not suggesting that no punishment was warranted, but rather that a lesser form of discipline would have been more appropriate, such as a Page 11 entry or a 6105.”

The Board noted on 22 July 2015, you underwent NJP for violating Article 92 of the Uniform Code of Military Justice (UCMJ) for attending a hotel party on 18 July 2015. You were awarded reduction in rank to Private, forfeiture of pay, and restriction. The Board also noted you acknowledged your Article 31, UCMJ Rights, accepted NJP, certified that you were given the opportunity to consult with a military lawyer, acknowledged your right to appeal, and you

elected not to appeal your CO's finding of guilt at NJP. In addition, the Board determined that your CO acted within his discretionary authority and conducted your NJP pursuant to the Manual for Courts-Martial (2012 ed.).

Regarding the documentation you provided, the Board found no convincing evidence between your misconduct and your CO's purported relief, and you provided none. Moreover, the Board relies on a presumption of regularity to support the official actions of public officers, in the absence of substantial evidence to the contrary, the Board will presume that they have properly discharged their official duties. The Board found your arguments and evidence insufficient to overcome this presumption. The Board thus concluded there is no probable material error, substantive inaccuracy, or injustice warranting corrective action. 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,

3/13/2025

