



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE RD  
ARLINGTON, VA 22204

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Docket No. 3504-25  
Ref: Signature Date

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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 14 January 2026. 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 that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

The Board carefully considered your request to: 1) set aside your administrative separation, 2) set aside your Board of Inquiry (BOI) proceedings, 3) grant you constructive credit for service, 4) grant your request to retire, 5) correct your Official Military Personnel File (OMPF) to remove any reference to your administrative separation, 6) allow for your consideration by the Officer Grade Determination Review Board, and 7) grant any other relief warranted. You contend that you were denied Due Process during the BOI in violation of Department of Defense Instruction (DODI) 1332.30 and Secretary of the Navy Instruction (SECNAVINST) 1920.6D because: 1) you were not properly notified of all grounds for separation at your BOI, 2) the recorder misled BOI members into believing they had to separate you, 3) the recorder introduced evidence of

pre-service misconduct over your objection, 4) the Navy did not respond to your voluntary retirement request, and 5) denial of your retirement is fundamentally unfair and unjust.

After careful review, the Board found that you did not demonstrate probable material error, substantive inaccuracy, or injustice warranting the relief requested. Upon review of your evidence and OMPF, the Board found that your contentions, with the exception of the fourth, regarding your retirement request, were already raised by the Letter of Deficiency (LOD) submitted by your military counsel following conclusion of your BOI. 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, the Board will presume they properly discharged their official duties. The Board noted that Commander, Navy Region Mid-Atlantic reviewed your LOD at the time of submission and found that there were no deficiencies in the BOI proceedings. Thus, barring substantial evidence to the contrary, the Board concluded you were afforded Due Process, your BOI was conducted in accordance with policy, it remains valid, and you were appropriately discharged misconduct in your assigned grade.

Regarding your contention that the Navy did not respond to your voluntary retirement request, the Board found your contention lacks merit. The Board found that the Deputy Chief of Naval Personnel provided a recommendation to the Assistant Secretary of the Navy (Manpower and Reserve Affairs) (ASN(M&RA)) on 3 August 2022, wherein your retirement request was annotated, resulting in ASN(M&RA)'s approval of your administrative separation. Implicit in this approval was the Navy's denial of your retirement request. Furthermore, the Board found the evidence insufficient to support your contention that the decision to deny your retirement was fundamentally unfair or unjust. Rather, the Board found your misconduct, as evidenced by your non-judicial punishment for leaving the scene of an accident, drunken or reckless operation of a vehicle, and conduct unbecoming an officer and a gentleman, reasonably supported this decision. As such, the Board found your application did not meet the burden of proof or show by preponderance of the evidence probable material error, substantive inaccuracy, or injustice exists with your record. Accordingly, given the totality of the circumstances, the Board determined 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,

1/30/2026

