



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

█
Docket No. 4475-25
Ref: Signature Date

█
█
█

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

The Board carefully considered your request to remove your 4 September 2024 unit punishment book (UPB)/non-judicial punishment (NJP) and Administrative Remarks (Page 11) entries. The Board considered your contention that the administrative separation board (ASB) determined that you did not knowingly ingest THC. You claim that you presented board members with the truth of how THC entered your system and evidence of your good military character.

The Board's review found that your NJP is valid and was conducted in accordance with the Manual for Courts-Martial (MCM). The punishment was imposed for violating Uniform Code of Military Justice (UCMJ), Article 112a after testing positive for THC during a random urinalysis. The record shows that you acknowledged your Article 31, UCMJ Rights, accepted the NJP, were given the opportunity to consult a military lawyer, and declined to appeal the finding of guilt. Furthermore, you acknowledged subsequent counseling entries regarding the

NJP without submitting a statement in rebuttal. The Board determined your decision not to appeal or submit a statement indicates an understanding and acceptance of the NJP's basis.

The Board determined your Commanding Officer's decision was based on a preponderance of evidence, including the positive urinalysis result, which the MCM deems sufficient for the finding of guilt at NJP. Therefore, the Board concluded that your Commanding Officer acted properly and within his discretionary authority.

Additionally, the Board found no evidence to support your claim of innocent ingestion and you provided none. The Board determined that the outcome of your ASB has no bearing on the validity of your NJP. The administrative separation process is a separate and distinct proceeding; its fundamental purpose is to determine a service member's suitability for continued service, not to overturn other valid administrative actions.

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 evidence insufficient to overcome this presumption. In conclusion, the Board found 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,

1/27/2026

