



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

██████████
Docket No. 4807-25
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 application on 6 February 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 carefully considered your request to have your rank reinstated to E-5. You contend that there is no record of your non-judicial punishment (NJP), that proper filing procedures were not followed, and your reduction in rank appeared to be suspended but your pay was withheld.

The Board determined that your NJP was properly recorded. In making this determination, the Board noted that you received an adverse evaluation report for the reporting period 16 March 2021 to 18 January 2022, submitted upon your reduction in rate to AD3. As justification, the Reporting Senior (RS) commented: "CO NJP conduct 18 Jan 22, found guilty of violation UCMJ article 92. Awarded reduction to the next inferior pay grade, 45 days of extra duty and 45 days restriction. NJP concluding date: 23 January 2022."

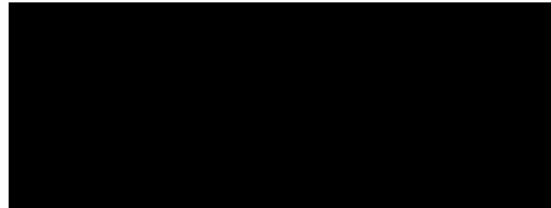
Additionally, the Board found evidence of your NJP in the Navy Standard Integrated Personnel System (NSIPS). A review of your NSIPS record revealed a Court Memorandum documenting your NJP on 18 January 2022, for violating Uniform Code of Military Justice, Article 92, as well as your reduction in rank. Additionally, your NSIPS record contains an Administrative Remark further documenting the NJP.

The Board determined that this electronic record sufficiently documents the NJP and your reduction in rank. The absence of a Court Memorandum in your OMPF does not, by itself, constitute a basis to restore your rank, and there is no evidence that your reduction in rank was suspended. 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, will presume that they have properly discharged their official duties. The board determined your statement was insufficient to overcome the presumption that NJP was imposed on you and your punishment included an unsuspended reduction in paygrade¹. Therefore, the Board 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,

2/21/2026



¹ Despite the fact your record is missing the court memorandum documenting your NJP, the presumption of regularity is supported by the aforementioned performance evaluation and the NSIPS entries.