



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

█
Docket No. 4893-25
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.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 18 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 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 carefully considered your request for advancement to E-7. The Board considered your contention that you were not provided with the opportunity to complete the required warfare qualification. You also stated that when ordered to participate in the qualification board, you informed your chain of command that you were not prepared, resulting in your subsequent warfare qualification failure. You asserted that your Reporting Senior (RS) used this failure to remove your promotion recommendation.

In its review, the Board noted that you received nonjudicial punishment (NJP) on 23 August 2019, for violating Uniform Code of Military Justice (UCMJ) Articles 92 and 107. On that same day, you were issued an Administrative Remarks (Page 13) documenting the withholding of your advancement to E-7 due to loss of confidence in your ability to execute your duties and perform at the level of a Chief Petty Officer (CPO). Subsequently, you received a Periodic/Regular

evaluation for the reporting period 16 November 2018 to 15 November 2019, which was marked 2.0 for professional knowledge and documented your NJP.

The Board also noted that you received a Page 13 dated 18 November 2019, documenting your commanding officer's withdrawal of his recommendation for advancement due to your failure to meet the criteria for qualifying as an Enlisted Aviation Warfare Specialist in the prescribed time. You also received a Special/Regular evaluation for the reporting period 16 November 2019 to 18 November 2019 marked 'Significant Problems' and noting that the evaluation was submitted due to your failure to meet the required qualification.

On 20 October 2021, you filed a Navy Inspection General (IG) complaint alleging the wrongful withdrawal of your promotion. In response, the Navy IG did not substantiate the allegations, finding that the evidence demonstrates you were removed from consideration for CPO due to substandard performance, as documented by your NJP, and your failure to qualify as an Enlisted Aviation Warfare Specialist in the prescribed time.

The Board determined that your advancement to E-7 is not warranted. According to the Advancement Manual for Enlisted Personnel of the Navy, commanding officers may withdraw a recommendation for advancement at any time, prior to the effective advancement date, if the member is determined to no longer qualify for advancement. In this case, the Board found your commanding officer's decision was supported by your NJP and failure to complete the required qualifications. The withdrawal of an advancement recommendation is the prerogative of the commanding officer. Furthermore, a recommendation that is withdrawn after notification of selection for advancement is a permanent action with no administrative recourse. Policy required your commanding officer to prepare a "Significant Problems" enlisted evaluation, which was done. Therefore, the Board concluded that 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,

3/19/2026

