



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

Docket No. 5993-25
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 22 April 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 remove from your Official Military Personnel File (OMPF) your evaluation report covering the period of 16 March 2022 to 17 July 2022, and your evaluation report covering the period of 18 July 2022 to 1 November 2022, along with your contentions that the first evaluation is erroneous because it is a special evaluation issued due to a non-judicial punishment (NJP) that is not in your OMPF, and the second evaluation is erroneous because it is a transfer "P" issued following the preceding erroneous special evaluation.

The Board, however, found you did not demonstrate probable material error, substantive inaccuracy, or injustice warranting removal of your evaluations. Although not all of the NJP paperwork is present in your OMPF, the Board found sufficient evidence of the NJP, therein, to render your argument invalid. Specifically, your OMPF contains an administrative remarks entry, dated 2 August 2022, that documents your receipt of Admiral's NJP on 12 July 2022. This entry documents your absence without leave, in violation of the Uniform Code of Military Justice (UCMJ), Article 86, and false official statement, in violation of UCMJ Article 107. The Board further noted you did not refute the misconduct, only that the NJP was not documented in your OMPF. The Board found your argument unconvincing in the face of the existence of the counseling entry and, further, in circumstances such as this, when it appears documentation is

missing from a record, 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 they have properly discharged their official duties. The Board found your evidence insufficient to overcome this presumption, and thus concluded the NJP, as evidenced by the counseling entry, occurred and was valid. For these reasons, the Board concluded your request should be denied.

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,

5/5/2026

