



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

Docket No. 8263-25
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 20 May 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 reinstate you to the rank of E-7 and redact the special occasion (SP) evaluation, dated 20 March 2024, from your Official Military Personnel File (OMPF). You contend that, following your non-judicial punishment (NJP), you received the SP evaluation and recommendation against promotion. However, on 6 June 2024, an administrative discharge board (ADB), held to address the underlying misconduct, examined the case, including new evidence not available for consideration at the NJP, and found the evidence did not support your wrongful use of cocaine. You contend this outcome highlights that your punishment, in addition to documentation by the SP evaluation, resulted in clear injustice.

The Board, however, found you did not demonstrate probable material error, substantive inaccuracy, or injustice warranting reinstatement of rank or redaction of the evaluation. Although you rely on the favorable determination of the ADB, the Board opined the purpose of an ADB is not to determine whether or not you committed misconduct, but whether your conduct supported separation from service. In your case, your wrongful use of cocaine is documented by your positive urinalysis result, further enshrined by your Commanding Officer's (CO) finding of guilt at NJP, and the Punitive Letter of Reprimand issued as a result. The Board noted, you accepted NJP, when you had the right to demand court-martial, where the allegations against you

would have been held to a higher burden of proof, and you did not appeal the NJP, which was your option to challenge the outcome contemporaneously with the finding. You also declined to provide a statement in response to the PLR, which the Board interpreted as your acceptance of its content. The Board additionally noted you have not stated your innocence but only rely on the ADB results. The Board thus found there was sufficient evidence to conclude you did in fact use cocaine and, therefore, found no error in the issuance of the SP evaluation documenting the NJP, or the resulting punishment of reduction in rank. Therefore, the Board determined insufficient evidence of error or injustice exists to warrant removal of the SP evaluation or reinstatement of your paygrade to E-7.

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,

6/5/2026

