



**DEPARTMENT OF THE NAVY**  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE ROAD, SUITE 1001  
ARLINGTON, VA 22204-2490

EGA  
Docket No: 11934-14  
30 April 2015

[REDACTED]

Dear [REDACTED]

This is in reference to your reconsideration request dated 3 November 2014. You previously petitioned the Board and were advised in our letter of 28 January 2010, that your application had been denied.

Your current request has been carefully examined by a three-member panel of the Board for Correction of Naval Records, sitting in executive session. Documentary material considered by the Board consisted of your application and any material submitted in support of your application.

In regard to your request for a personal appearance, be advised that Board regulations state personal appearances before the Board are not granted as a right, but only when the Board determines that such an appearance will serve some useful purpose. In your case, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of the record.

After careful and conscientious consideration of the entire record, the Board determined that the assertion you submitted, even though not previously considered by the Board, was insufficient to establish the existence of probable material error or injustice. The Board determined that your post service claim for compensation from the Department of Veterans Affairs for exposure to hepatitis was not enough to outweigh the significant misconduct you committed while on active duty. Accordingly, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and

material evidence or other matter not previously considered by the Board within one year from the date of the Board's decision. 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,

A handwritten signature in black ink, appearing to read 'Robert J. O'Neill', written in a cursive style.

ROBERT J. O'NEILL  
Executive Director