



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

BAN
Docket No:NR05235-14
30 April 2014

[REDACTED]

This is in reference to your application for reconsideration request of your naval record pursuant to the provisions of 10 USC 1552 on 19 March 2014.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your reconsideration request on 28 April 2014. 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, your naval record and applicable statutes, regulations and policies.

As explained in the Board's original letter to you on 7 February 2011, a case may be reconsidered only upon submission of new and material evidence. New evidence is defined as evidence not previously considered by the Board and not reasonably available to you at the time of your previous application. Evidence is considered to be material if it is likely to have a substantial effect on the outcome of the Board's decision. In July 2012, you requested a reconsideration of your request and it was denied. Furthermore, you have requested another reconsideration of your request via the Secretary of the Navy's Office.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. Although the information you provided was new, it was not material information that would change the Board's original decision and your reconsideration request 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. In this regard, it is also 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,



ROBERT D. ZSALMAN
Acting Executive Director