



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

[REDACTED]
Docket No. 3447-16

MAY 22 2017

[REDACTED]
Dear [REDACTED]

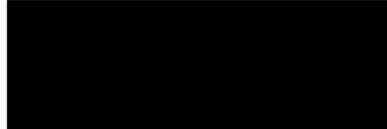
This is in reference to your application for correction of your naval record pursuant to the provisions of 10 USC 1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 17 March 2017. 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, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by Headquarters, Marine Corps (MIQ) dated 10 January 2017, which was previously provided to you for an opportunity to comment prior to being considered by the Board.

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. You contend that an Administrative Remarks (6105) entry dated 9 April 2013 was provided to you in an unjust manner. Hence, you requested to have this documentation removed from your Official Military Personnel File (OMPF). However, the Board made the determination that an injustice did not occur. You indicated that you entered a female restricted area within the barracks with the intent to ensure she went to her room after you counseled her. Moreover, you stated that you exercised good initiative, but poor judgment; however, you did not violate the Marine Corps Engineer School's Statement of Understanding (SOU). The Board determined that you should have exercised other options in order to resolve the immediate situation with the female subordinate. Although you contend that the Engineer School's leadership accused you for having a lack of integrity since you did not self-report the incident, the Company Commander of the Marine Corps Engineer School indicated that you took steps to conceal the facts of the unreported incident. In this connection, the Board substantially concurred with the comments contained in the advisory opinion. Accordingly, your application has been denied.

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 evidence. New evidence is evidence not previously 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,

A solid black rectangular box used to redact the signature of the Executive Director.

Executive Director