



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

█  
Docket No. 8868-20  
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF █  
XXX XX █ USMC

Ref: (a) Title 10 U.S.C. § 1552  
(b) MCO P1070.12K w/ ch 1

Encl: (1) DD Form 149 w/enclosures  
(2) Administrative Remarks (6105) counseling entry 12 Apr 16  
(3) Administrative Remarks (6105) counseling entry 27 May 16  
(4) █ ltr 1000 G-1 30 Nov 20

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his naval record be corrected by removing Administrative Remarks 6105 (Page 11) counseling entries, enclosure (2) and enclosure (3), from his official military personnel file (OMPF).

2. The Board, consisting of █ and █ reviewed Petitioner's allegations of error and injustice on 21 September 2021 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of Petitioner's naval records, and applicable statutes, regulations, and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, found as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulation within the Department of the Navy.

b. Petitioner received enclosure (2) on 12 April 2016 for being investigated for recruiter fraud. Petitioner received enclosure (3) on 27 May 2016 for lying to a staff non-commissioned officer (SNCO). Petitioner contends enclosures (2) and (3) are unjust as there was no evidence that Petitioner committed the misconduct alleged. Petitioner included a letter from the commanding officer (CO) who issued the 6105, enclosure (4). The CO requests removal of the Page 11 entries because an investigation concluded that Petitioner did not commit fraud, there was no investigation regarding the allegation of lying to the SNCO, and Petitioner's strong performance.

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XXX XX [REDACTED] USMC

## CONCLUSION

Upon review and consideration of all the evidence of record, the Board determined that Petitioner's request warrants relief. The Board noted that the CO was convinced that the Page 11 entries were erroneous and issued prematurely. Consequently, the Board found the Page 11 entries unjust and concluded that Petitioner's Page 11 entries, enclosures (2) and (3), shall be removed.

## RECOMMENDATION

In view of the above, the Board recommends the following corrective action.

Remove Petitioner's Page 11 counseling entries dated 12 April 2016 and 27 May 2016.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above-entitled matter.
5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)), and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

10/1/2021

[REDACTED]  
Executive Director

Signed by: [REDACTED]