



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

█  
Docket No: 1376-21  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF █  
█ USMC

Ref: (a) Title 10 U.S.C. § 1552

Encl: (1) DD Form 149 w/attachments  
(2) NAVMC 118(11) Administrative Remarks of 8 Jan 16  
(3) █ ltr 1000 JRS of 19 Jan 21  
(4) CO WFTB ltr 1000 of CTJ of 5 Mar 21

1. Pursuant to the provisions of the reference, 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 his 8 January 2016 Administrative Remarks (page 11) 6105 counseling entry and rebuttal statement.

2. The Board, consisting of █, █, and █ reviewed Petitioner's allegations of error and injustice on 26 October 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 that, before applying to this Board, he exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. On 8 January 2016, Petitioner was issued a page 11 entry counseling him for unsatisfactory performance of his duties. Specifically, prior to deployment 15 Marines did not have personal weapons assigned to them and Petitioner allowed this to occur. The entry also noted that Petitioner was relieved of his duties. See enclosure (2).

b. Petitioner contends that he was not afforded the opportunity to defend his case aside from writing a rebuttal statement. Petitioner also contends that the command did not investigate the allegations and the command's timing was suspicious due to his selection for promotion to Master Sergeant (MSgt/E-8). As evidence, Petitioner furnished correspondence from the officer that issued the page 11 entry and his former commanding officer (CO).

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c. In correspondence from Petitioner's former company commander, he asserts that Petitioner's page 11 entry was made in error. He commented that the weeks and months following the issuance of the page 11 revealed that the cause of the issues leading to the counseling included factors that were beyond the scope of Petitioner's billet as the company gunnery sergeant, thus Petitioner should not be held responsible for these issues that were outside his control. See enclosure (3).

d. In correspondence from Petitioner's former CO, he supports the request to remove Petitioner's page 11 entry. The former CO noted that despite the many challenges of being in [REDACTED] at the time, Petitioner persevered and maintained a steady presence and leadership. See enclosure (4).

## CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting corrective action. The Board noted that Petitioner's page 11 entry was issued according to the Marine Corps Individual Records Administration Manual. However, the Board gave substantial consideration to the correspondence furnished by Petitioner's former chain of command and determined that they provided sufficient justification to warrant removal of Petitioner's page 11. Accordingly, the Board determined that Petitioner's contested page 11 entry and rebuttal statement should be removed.

## RECOMMENDATION

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

Petitioner's naval record be corrected by removing his 8 January 2016, Administrative Remarks (page 11) entry and 8 January 2016 rebuttal statement.

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.

11/16/2021

[REDACTED]

Executive Director

[REDACTED]