



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

█  
Docket No: 6806-21  
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) 10 U.S.C. § 1552  
(b) MCO P1070.12K (IRAM)

Encl: (1) DD Form 149 w/enclosures  
(2) Administrative Remarks (Page 11) counseling entry of 22 May 19 and rebuttal  
(undated)  
(3) █ letter of 19 Aug 21

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 his naval record be corrected by removing an Administrative Remarks (Page 11) 6105 counseling entry dated 22 May 2019.

2. The Board, consisting of █, █, and █, reviewed Petitioner's allegations of error and injustice on 27 January 2022, and pursuant to its regulations, determined 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. On 22 May 2019, Petitioner was issued a Page 11 entry counseling him for failure to obey a lawful general order after he was cited for operating a motor vehicle that contained an open container of alcohol and allowing underage individuals to purchase alcohol. In response to the counseling, he submitted a statement explaining the circumstances that resulted in the issuance of the counseling entry. See Enclosure (2).

c. Petitioner contends enclosure (2) should be removed because he used the opportunity for personal and professional growth. In support of his contention, the issuing Commanding Officer (CO) submitted enclosure (3) requesting the contested counseling entry be removed because Petitioner has "learned from the incident and has successfully moved passed it."

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## CONCLUSION

Upon review and consideration of all the evidence, the Board concluded Petitioner's request warrants relief. In this regard, the Board, relying on enclosure (3), concluded it was in the interest of justice to remove the counseling entry and associated statement of 22 May 2019.

## RECOMMENDATION

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

Petitioner's naval record be corrected by removing enclosure (2), the 22 May 2019 6105 counseling entry and undated rebuttal from his Official Military Personnel File.

That any material or entries inconsistent with or relating to the Board's recommendation be corrected, removed, or completely expunged from Petitioner's record, and that no such entries or material be added to the record in the future. This includes, but is not limited to, all information systems or database entries that reference or discuss the expunged material.

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 Regulation, 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.

2/22/2022

[REDACTED]  
Executive Director  
[REDACTED]