



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

█
Docket No: 6943-21
Ref: Signature Date



Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 8 March 2022. 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, relevant portions of your naval record, and applicable statutes, regulations, and policies.

On 11 August 2020, you received an Administrative Remarks 6105 counseling entry for unprofessional conduct, disrespect, and communicating threats to three United States Army Officers while you were under the influence of alcohol at a recreation area in █ on 18 July 2020. You argue the 6105 entry is erroneous and unjust because the group you got into an argument with were in swimsuits and you did not know that they were Army officers. You further contend that you later discovered that the group of officers were military police and the military police who investigated the incident did not interview your family or another Marine at the scene who witnessed the exchange; resulting in an inaccurate investigation report that your command relied on to issue the counseling.

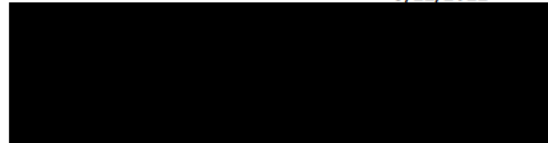
The Board carefully considered your request to remove the 6105 entry. The Board noted that other than your statement, you did not provide any corroborating documentation to support your contentions that you were unaware that the group you argued with were military officers, other witnesses were not interviewed, and that the group was hostile to you and your family. The Board further noted that the 6105 counseling entry was properly signed by you and your commanding officer and your rebuttal to the counseling was properly entered into your official military personnel file (OMPF). The Board determined that there was no error with the 6105

entry as it provided written notification concerning a deficiency, where to seek assistance, and potential consequences if further violations occur. Moreover, the Board determined the entry created a permanent record of a matter your CO deemed significant enough to document, and as your CO, he was well within his authority to issue the counseling entry. Accordingly, the Board thus concluded that there is no material error or injustice warranting further action.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or 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,

3/22/2022

A large black rectangular redaction box covering the signature area.

Executive Director

A black rectangular redaction box covering the name of the Executive Director.