



The Board determined the contested counseling entry of 7 June 2019 creates a permanent record of matters the issuing CO deemed an essential part of your military history. The Board noted the counseling entry, which met the requirements detailed in MCO P1070.12K W/CH 1 (IRAM), is a valid counseling entry. Specifically, the Board noted the entry provided the opportunity to rebut the entry and was appropriately issued by the CO as evidenced by his signature on the entry. The Board thoroughly reviewed the documents submitted in support of your contentions but concluded the evidence was insufficient to establish that the entry was not written in accordance with the governing manual or that its contended improper explanation influenced you to refuse the option to submit a rebuttal statement. The Board also noted you provided insufficient evidence to support your driving did not warrant the counseling entry and did you dispute the crashes. Therefore, the Board concluded there is insufficient evidence of material error or injustice warranting the removal of the 7 June 2019 counseling entry or grant you a remedial promotion board.

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,

6/20/2022

