



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

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Docket No: 651-22
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 3 May 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.

The Board carefully considered your request to remove your 27 March 2020 Administrative Remarks (page 11) 6105 entry. The Board considered your contention that the page 11 entry is unjust, you requested pre-deployment leave, and the Detachment Officer-In-Charge (OIC) approved your leave. You claim that the Detachment OIC told you to submit a leave request via Marine Online (MOL), he gave verbal approval for you to execute leave, and informed you via text that, "we were granted special liberty and we should be good." You also claim that you were not aware of the COVID-19 restrictions because they were published after you executed your leave, but when you returned, the Commanding Officer (CO) was upset because he was not informed about your absence. You further claim that you did not maliciously break any rules. As evidence, you furnished text messages of conversations regarding your request for leave.

The Board noted that pursuant to the Marine Corps Separation and Retirement Manual (MARCORSEPMAN) you were issued a page 11 entry counseling you for taking leave, without approval from the CO or anyone in your chain of command and you risked exposing members of the command and █ to COVID-19. The entry also noted that you attended a formation at 1530 on 18 March 2020 with your Detachment OIC explicitly covering that leave exceeding 100

miles from █ would only be permitted with approval from the Commanding General and the entry notified you of your relief as the senior enlisted advisor for █ Company. The Board also noted that you acknowledged the page 11 entry, and elected not to submit a statement. The Board determined that your election not to submit a statement indicates that you understood the basis for the page 11 entry. The Board also determined that your contested page 11 entry was issued and written according to the MARCORSEPMAN. Specifically, the entry provided written notification concerning your deficiencies, specific recommendations for corrective action, where to seek assistance, the consequences for failing to take corrective action, and it afforded you the opportunity to submit a rebuttal. Moreover, your CO signed the entry and determined that your misconduct was a matter forming an essential and permanent part of your military record, as it was his/her right to do. The Board also considered the evidence you furnished; however, in light of your acknowledgement and the presumption of regularity that governs the official actions of government officials, the Board concluded that there is no probable material error, substantive inaccuracy, or injustice warranting corrective 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,

5/24/2022

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Executive Director

Signed by: █