



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: 2492-22
Ref: Signature Date

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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 7 July 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 determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

The Board carefully considered your request to remove a 10 August 2020 Administrative Remarks Page 11 entry you received for showing a lack of technical and professional competence. You argue the Page 11 should be removed as you had just returned to your military occupational specialty (MOS) from recruiting duty and because you have learned and recovered from your mistakes since the Page 11 entry. You specifically note your Motor Transportation Staff Non Commissioned Officer Operations Course completion, Certificate of Commendation, and Staff Non Commissioned Officer Academy Career School completion.

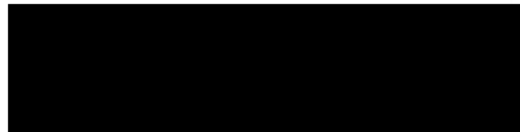
The Board noted that you submitted a rebuttal to the Page 11 stating that you take full responsibility for your lack of technical and professional competence, that you did not properly prepare for a training exercise, and that you did not incorporate the feedback that you received. The Board determined that the contested entry was written and issued in accordance with Marine

Corps Order (MCO) 1070.12K, Marine Corps Individual Records Administration Manual (IRAM). Specifically, the entry provided written notification concerning your deficiencies, specific recommendations for corrective action, where to seek assistance, consequences for failure to take corrective action, the opportunity to submit a rebuttal, and your commanding officer (CO) signed the entry. Moreover, the entry created a permanent record of a matter your CO deemed significant enough to document, and your CO was within his authority to issue the counseling entry. The Board thus concluded that there is no probable material error or injustice with the Page 11 counseling. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

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,

7/25/2022

A large black rectangular redaction box covering the signature of the Executive Director.

Executive Director

A black rectangular redaction box covering the contact information of the Executive Director.