



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

[REDACTED]
Docket No: 2615-22
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]
[REDACTED] USMC

Ref: (a) Title 10 U.S.C. § 1552
(b) MCO 1070/12K (IRAM)
(c) MCO 1900.16 (MARCORSEPMAN)

Encl: (1) DD Form 149 w/enclosures
(2) Administrative Remarks (Page 11) 6105 counseling entry of 18 Dec 2020 and rebuttal

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 that his naval record be corrected to remove an Administrative Remarks (Page 11) 6105 counseling entry.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error and injustice on 23 May 2022, and pursuant to its regulations, determined that 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 the 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, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. On 23 October 2020, Petitioner reported an auto burglary to the police. The police report noted that Petitioner's government vehicle had a smashed rear window and that Petitioner reported that his government laptop was missing from the vehicle.

c. On 18 Dec 2020, Petitioner was issued a Page 11 6105 counseling for misplacing his government issued laptop on 22 Oct 2020. Petitioner acknowledged the entry and submitted a written rebuttal arguing that he stopped to use the bathroom when the laptop was taken from the vehicle. Enclosure (2).

d. Petitioner contends that he notified the command of the incident immediately and that the Page 11 6105 counseling inaccurately states he misplaced the laptop when it was stolen.

Subj: REVIEW OF NAVAL RECORD ICO [REDACTED]
[REDACTED] USMC

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting relief. The Board determined Petitioner's negligence in not securing the laptop was not sufficiently serious based on the circumstances of his case and it would result in an injustice if the Page 11 6105 is allowed to be retained in his record.

RECOMMENDATION

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

Petitioner's naval record be corrected by removing enclosure (2), his 18 December 2020 Page 11 6105 counseling entry and associated rebuttal.

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.

6/3/2022

