



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

█
Docket No. 3316-22
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 applications on 21 June 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 applications, 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 your Administrative Remarks (6105) Page 11 counseling of 13 April 2020 for violation of Article 134. The Board considered your contentions that you were falsely accused of violating articles 92 and 134, the misconduct determination was based upon a statement from a known liar, and you need to have the counseling removed to assist you in getting your reenlistment code changed. You also raised arguments that your First Sergeant was biased towards claims of fraternization, that your room door would not lock, and that you allowed all rank of Marines the privilege of coming to your room for assistance.

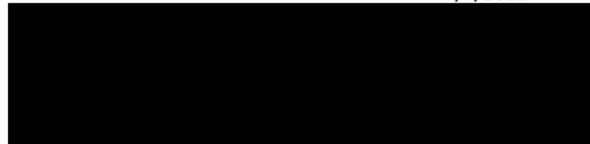
The Board noted that you received the counseling for fraternization, by entering into an unduly familiar relationship with a Marine of lesser grade (Private First Class). The Board further noted that the issuing officer was well within his discretionary authority to issue the 6105 counseling

entry and that the entry met the 6105 counseling requirements detailed in MCO 1900.16 (MARCORSEPMAN). Specifically, the Board noted that the entry provided written notification concerning your deficiencies, specific recommendations for corrective action indicating any assistance available, a comprehensive explanation of the consequences of failure to successfully take the recommended corrective action, and a reasonable opportunity to undertake the recommended corrective action. You were afforded the opportunity to rebut the counseling, and your rebuttal is filed in your official military personnel file. While the Board took into consideration your arguments, based on the aforementioned factors, the Board concluded that the 6105 Page 11 counseling does not constitute probable material error or injustice warranting removal from your record. 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, _____

7/4/2022

A large black rectangular redaction box covering the signature area.

Executive Director

Signed by: _____