



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: 5530-22

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.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 16 August 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 24 June 2015 Administrative Remarks (page 11) 6105 counseling entry and your two 21 July 2016 page 11 counseling entries. The Board considered your contention that you were issued an adverse page 11 by someone other than the commanding officer (CO). You also contend that you can cover the tattoos with your hand while your fingers are extended and joined with the thumb touching the base of the index fingers while wearing the Marine Corps physical fitness uniform.

The Board noted that pursuant to MARADMIN 29/10, you were issued the 24 June 2015 page 11 entry for being in violation of the Marine Corps Tattoo policy. You could not cover the tattoos with your hand while your fingers are extended and joined with the thumb touching the base of the index finger. The Board also noted that you acknowledged the entry, and elected not to submit a statement. The Board determined that the page 11 entry was written and issued according to the Marine Corps Separation and Retirement Manual (MARCORSEPMAN). 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, and it afforded you the opportunity to submit a rebuttal. The Board noted, too, that the signature line of the contested page 11 indicates that it was signed by the CO. The Board found no evidence to support your contention that the page 11 entry was signed by someone other than your CO and you provided none.

Concerning your 21 July 2016 page 11 entries, the Board noted that the entries were issued pursuant to Marine Corps Bulletin (MCBUL) 1020 (dated 2 June 2016). The page 11 entries noted that your tattoos are not in compliance with current tattoo policy. The Board also noted that you acknowledged the entries, certified that the information in the entry is correct, and you elected not to submit a statement. The Board noted, too, that the sole purpose of the page 11 entries was strictly for documentation purposes and shall not be construed to be punitive or disciplinary in nature. The Board found no evidence validating your claim that your 21 July 2016 page 11 entries are in error.

Accordingly, the Board determined that all three contested page 11 entries are valid. In this regard, the Board determined that your contested page 11 entries were written and issued according to the applicable regulations. The Board also determined that your elections not to submit a statement indicates that you understood and accepted the basis for the page 11 entries. As a result, the Board concluded that there is no probable material error, substantive inaccuracy, or injustice warranting removal of the page 11 entries 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,

8/25/2022

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Executive Director

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