



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

[REDACTED]  
Docket No. 2528-23  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]  
XXX XX [REDACTED] USMC

Ref: (a) Title 10 U.S.C. § 1552

Encl: (1) DD Form 149 w/enclosures  
(2) Administrative Remarks (Page 11) 6105 counseling entry of 28 Aug 19  
(3) Petitioner's rebuttal (undated)  
(4) Petitioner's Medical Encounter History

1. Pursuant to the provisions of the reference, 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 by removing enclosures (2) and (3).

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 11 April 2023 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 Petitioner's naval records, and applicable statutes, regulations, and policies.

3. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulation within the Department of the Navy. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, found as follows:

a. On 28 August 2019, Petitioner was issued a 6105 counseling entry for failure of a Physical Fitness Test (PFT) on 26 August 2019. Petitioner acknowledged the entry and chose to submit a written rebuttal. Enclosures (2) and (3).

b. On 28 August 2019, Petitioner was seen at the [REDACTED] for abdominal pain and was diagnosed with epigastric swelling, mass or lump. On 9 September 2019, Petitioner was seen again at the [REDACTED] and was diagnosed with separation of muscle (non-traumatic). Enclosure (4).

c. Petitioner contends that after his PFT he was sent to his medical provider due to extreme pain, and that a medical condition was identified which prevented him from passing the PFT. Petitioner asserts he gave the supporting documentation to his command, but the counseling

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entry was erroneously submitted for inclusion in his official military personnel file, even though he was medically exempt from the PFT.

#### CONCLUSION

Upon review and consideration of all the evidence of record, the Board determined that Petitioner's request warrants relief. The Board noted that Petitioner provided sufficient evidence of a medical diagnosis that would have impacted his performance during the PFT. The Board thus concluded that the contested counseling entry shall be removed from Petitioner's record.

#### RECOMMENDATION

In view of the above, the Board recommends the following corrective action:

Petitioner's naval record be corrected by removing enclosures (2) and (3).

Any material or entries inconsistent with or relating to the Board's recommendation be corrected, removed, or completely expunged from Petitioner's record, and that no such entries or material be added to the record in the future. This includes, but is not limited to, all information systems or database entries that reference or discuss the expunged material.

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 Regulations, 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.

Sincerely,

5/3/2023

[REDACTED]

Deputy Director

Signed by: [REDACTED]