



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

[REDACTED]  
Docket No. 2627-23  
Ref: Signature Date

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

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

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

Encl: (1) DD Form 149 w/enclosures  
(2) Administrative Remarks (Page 11) entry of 2 Feb 18  
(3) Petitioner rebuttal of 13 Feb 18  
(4) Petitioner promotion history

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 her naval record be corrected to remove an Administrative Remarks (Page 11) entry dated 2 February 2018 and associated rebuttal from her official military personnel file (OMPF).

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error and injustice on 18 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 the naval records, references (b) and (c), 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 2 February 2018, Petitioner was issued enclosure (2), a Page 11 entry, concerning her violation of Article 92, Uniform Code of Military Justice, for failing to stop or report recruit training order violations during a 10 kilometer hike on 18 November 2017. Petitioner acknowledged and signed the entry, and submitted a rebuttal at enclosure (3), to which she stated she did not witness a violation, she was a sergeant at the time, and should she have had any suspicion of any violation, she would have immediately intervened.

c. Petitioner contends that she received the entry while a drill instructor, but was a Sergeant at time of incident. Petitioner further contends that since the alleged incident occurred while she was not yet a SNCO, the page 11 is erroneous in nature. Petitioner was promoted to Staff Sergeant on 1 December 2017. Enclosure (4).

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## CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an error warranting partial relief. In this regard, the Board noted that the incident occurred approximately two weeks before her promotion to Staff Sergeant and the command did not issue her the Page 11 entry until two months after her promotion. The Board further noted that the Petitioner is not arguing the merits of the entry, but rather, that an administrative error exists. The Board, however, determined that the entry is in compliance with reference (b), despite the gap between the date of the incident and issuance of the Page 11 entry, but acknowledged that administrative errors exist with the Page 11. Specifically, that her rank at the time of the incident is incorrectly reflected in the entry.

Notwithstanding the error in the Page 11 entry, the Board concluded it was not necessary to remove it from Petitioner's record. Rather, based on its determination that entry remains otherwise valid, the Board concluded that the Page 11 should be corrected by redacting the Staff Sergeant references in the entry.

Based on the same rationale for maintaining the Page 11 entry in her record, the Board also concluded insufficient evidence of error or injustice exists to remove Petitioner's associated rebuttal to the entry.

## RECOMMENDATION

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

Petitioner's naval record be corrected by modifying enclosure (2), her 2 February 2018, Page 11 entry by redacting the word "Staff" from paragraph 2 in the words "Staff NonCommissioned Officer" and the letter "S" from paragraph 3 in the words "SNCO Creed."

No other changes are required.

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.

5/8/2023

