



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

██████████
Docket No. 2632-23
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF ██████████, ..
XXX XX ██████████ USMC

Ref: (a) Title 10 U.S.C. § 1552

Encl: (1) DD Form 149 w/enclosures
(2) Administrative Remarks (Page 11) 6105 counseling entry, 27 Aug 20
(3) Petitioner's Rebuttal to 6105 counseling entry (undated)
(4) Petitioner's Light Duty Chit (undated)
(5) Clinical Notes, 3 Sep 20
(6) ██████████ Rehabilitation Group initial evaluation, 14 Sep 20

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 his 27 August 2020 Administrative Remarks (Page 11) 6105 counseling entry and associated rebuttal.

2. The Board, consisting of ██████████, ██████████, and ██████████ 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 27 August 2020, Petitioner was issued a 6105 counseling entry for failure of the run portion of the Physical Fitness Test (PFT) on 14 August 2020. Petitioner acknowledged the entry and chose to submit a written rebuttal. Enclosures (2) and (3).

b. Subsequently, Petitioner sought medical attention for low back pain and was placed on fourteen days light duty, and referred to physical therapy. Enclosures (4), (5), and (6).

c. Petitioner contends that he injured himself during the run portion of the PFT and could not complete the run portion with a passing time. He further claims that he sought medical attention immediately after the PFT and that the injury was properly documented.

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XXX XX [REDACTED] USMC

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 his 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), the 27 August 2020 counseling entry and associated rebuttal.

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,

5/1/2023

[REDACTED]

Deputy Director

Signed by [REDACTED]