

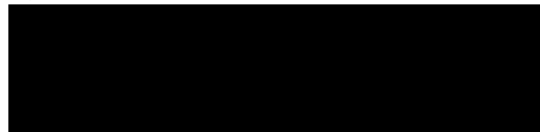


in a timely manner and initiate appropriate corrective action. Furthermore, the ENLPROMMAN states if an error is discovered and corrected following the adjournment of the board, the Marine must address the reasons why the error could not reasonably have been discovered and corrected prior to the convening date of the board. In this regard, the Board noted you received the counseling entry on 8 March 2018 and acknowledged (signed) the entry and provided a written statement (undated). Once you acknowledged the counseling entry and it was signed by the CO, the entry was valid and a matter of record properly submitted for inclusion in your record. Moreover, the Board noted that you did not take corrective action until 17 November 2020, after the FY 2019 Board convened in April 2019. Finally, the Board noted although a previous Board granted the removal of the contested counseling entry on 22 November 2022, your first petition to the Board was made two years after the FY 2019 Promotion Selection Board convened. Therefore, the Board determined you did not exercise due diligence as required by the ENLPROMAN. Thus, the Board concluded that there is no probable material error, substantive inaccuracy, or injustice warranting your consideration by an ERSB. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. 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,

12/18/2023

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Executive Director

Signed by:

A black rectangular redaction box covering the name of the Executive Director.