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

SJN
Docket No: 1220-15
13 March 2015

From: Chairman, Board for Correction of Naval Records
To: Commandant of the Marine Corps (MMER)

Subj: REVIEW NAVAL RECORD OF [redacted], USMC,

Ref: (a) 10 U.S.C. 1552

Encl: (1) DD Form 149 with attachments
(2) HQMC Advisory Opinion dtd 12 Mar 15

1. Pursuant to the provisions of reference (a), Petitioner, an enlisted member of the Marine Corps, filed enclosure (1) with this Board requesting, in effect, that his record be corrected by removing his nonjudicial punishment (NJP) of 24 February 2006, from his Official Military Personnel File (OMPF).

2. The Board, consisting of Messrs. O'Neil, Relyea, and Ms. McCain, reviewed Petitioner's allegations of error and injustice on 13 March 2015 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, naval records, 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. Enclosure (2) is an advisory opinion from the Headquarters Marine Corps recommending favorable action.

CONCLUSION:

Upon review and consideration of all the evidence of record, and especially in light of enclosure (2), the Board concludes that Petitioner's request warrants full relief.

RECOMMENDATION:

a. That Petitioner's naval record be corrected by removing his nonjudicial punishment (NJP) imposed on 24 February 2006 from his OMPF.

b. That 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.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c) 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.

T. J. REED
Recorder

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.

ROBERT J. O'NEILL
Executive Director