



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

[REDACTED]  
Docket No: 652-17

OCT 09 2017

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

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

Ref: (a) 10 U.S.C. §1552

Encl: (1) DD Form 149 with attachments  
(2) Administrative Remarks (Page 11) entry of 2 Dec 16

1. Pursuant to the provisions of reference (a), Petitioner, an enlisted member of the Marine Corps, filed enclosure (1) with this Board requesting removal of the Administrative Remarks (Page 11) counseling entry of 2 December 2016 from his Official Military Personnel File (OMPF) and Electronic Service Record (ESR). Enclosures (1) through (2) apply.

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 2 June 2017 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 (1) was filed in a timely manner.

c. On 2 December 2016, one day after checking out of [REDACTED] Reconnaissance Battalion, a Page 11 counseling entry (see enclosure (2)) was allegedly presented to Petitioner. The counseling entry stated Petitioner was "not recommended for promotion to the rank of Corporal for January, February, and March promotion period for failing the promotion board on 20160831". Petitioner contends he had transferred to his new command and was never presented with the counseling entry and was therefore unable to "refuse to acknowledge entry" as noted on the counseling entry.

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CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request warrants favorable action.

The Board concludes it is an injustice for the Page 11 counseling entry of 2 December 2016 to remain in Petitioner's OMPF and/or ESR. The Board noted there was no counter entry. The Board determined Petitioner had transferred from the issuing command, and it appeared the issuing command was unjustly using the 3Q promotion board failure to affect the 1Q promotion period.

In view of the foregoing, the Board finds the existence of an injustice warranting the following corrective action.

RECOMMENDATION:

Petitioner's naval record be corrected by removing the Page 11 counseling entry dated 2 December 2016 from his OMPF and ESR.

No further relief is granted.

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.

[REDACTED]  
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.

[REDACTED]  
Executive Director