

DEPARTMENT OF THE NAVY

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

> Docket No: 5499-17 DEC 28 2017

From: Chairman, Board for Correction of Naval Records

To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF

USMC.

Ref:

(a) 10 U.S.C. § 1552

- Encl: (1) DD Form 149
 - (2) Case Summary
 - (3) Administrative Remarks (Page 11) Counseling with Rebuttal Statement dtd 5 Mar 15
 - (4) Commandant of Marine Corps (CMC) ltr dtd 2 Dec 15
- 1. Pursuant to the provisions of reference (a), Petitioner, an enlisted member of the Marine Corps, filed enclosure (1) with this Board requesting the removal of an Administrative Remarks (Page 11) counseling entry dated 30 September 2016, from her official military personnel file (OMPF). Enclosures (1) through (4) apply.
- 2. The Board, consisting of reviewed Petitioner's allegations of error and injustice on 4 October 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, relevant portions of the naval record 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. Enclosure (3) states in part, that on 5 March 2015, the Petitioner signed a Page 11 counseling entry concerning the following deficiencies: Failure to execute the minimum number of crunches during the Physical Fitness Test.

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USMC,

d. Petitioner states in part, that per enclosure (3) the Performance Evaluation Review Board (PERB) changed block 8b on the fitness report covering the period of 20150107 to 20150306 from 'F180' to 'NREQ'.

CONCLUSION:

Upon review and consideration of all the evidence of record, and in light of enclosure (4), the Board concludes that the Petitioner's request warrants favorable relief. In this regard, the Board concluded that even though the Page 11 counseling entry is valid and written in accordance with Marine Corps directive, as a result of enclosure (4) it would be an injustice to have the Page 11 entry remain in the Petitioner's OMPF. Therefore, the Board concluded that the removal of enclosure (3) should be granted.

In view of the foregoing, the Board recommends the following corrective action:

RECOMMENDATION:

Petitioner's naval record be corrected by removing enclosure (3) from the Petitioner's OMPF.

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.

