



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

[REDACTED]  
Docket No: 6611-17

DEC 26 2017

[REDACTED]  
Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

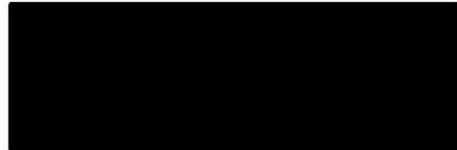
A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 8 November 2017. The names and votes of the members of the panel will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, relevant portions of your naval record and applicable statutes, regulations and policies.

On 2 February 2017, you received nonjudicial punishment (NJP) for violation of the Uniform Code of Military Justice (UCMJ), Article 134 (drunk and disorderly). You were also issued two Administrative Remarks (Page 11) Counseling entries date 2 February 2017. Additionally, you were issued an adverse fitness report (FITREP) for the reporting period 5 November 2016 to 2 February 2017.

The Board carefully considered your desire to remove the NJP, two Page 11 counseling entries, and your adverse FITREP from your Official Military Personnel File (OMPF). The Board considered your contention that punishment was unjust and excessive and that your character and exemplary performance as a Marine until the incident was not taken into consideration. The Board concluded these factors were not sufficient to warrant the removal of your NJP and both Page 11 counseling entries. In this regard, the Board concluded that the Commanding Officer's decision to impose NJP and issue you both Page 11 counseling entries was appropriate, within his discretionary authority and administratively and procedurally correct as written and filed. Regarding your request to have your fitness report removed covering the period 5 November 2016 to 2 February 2017, a preliminary review of your request revealed that you have not exhausted all of your administrative remedies in that you have not first sought relief through the Performance Evaluation Review Board (PERB). Accordingly, your application has been denied.

It is regretted that the circumstances of your case are such that favorable action cannot be taken at this time. You are entitled to have the Board reconsider its decision upon the submission of new and material evidence. New evidence is evidence not previously 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,



Executive Director