



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1011
ARLINGTON, VA 22204-2490

Docket No: 8035-17
MAR 05 2018

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 7 February 2018. 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.

Regarding your request for a personal appearance, the Board determined that a personal appearance with or without counsel will not materially add to their understanding of the issue(s) involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

A Report of Misconduct, dated 10 June 2016, documented in part, that during an investigation you exhibited behavior and took actions contrary to what is expected of a Marine Officer. On 25 October 2016, you acknowledged receipt of the Report of Misconduct and submitted matters in rebuttal. On 30 March 2017, the Deputy Commandant for Manpower and Reserve Affairs (DC, M&RA) determined that the information provided in the Report of Misconduct, while adverse, does not warrant processing for administrative separation from the Marine Corps, and that the adverse material concerning the matter will be included in your official military personnel file (OMPF).

The Board carefully considered your desire to remove the adverse material i.e., NAVMC HQ 335 dated 5 August 2017, with attachments, and an Administrative Remarks (Page 11) counseling entry from your OMPF. After reviewing your OMPF, the Board noted that it does not contain a Page 11 counseling entry referencing any misconduct. Therefore, the Board only considered your desire to remove the NAVMC HQ 335, with attachments. The Board

considered your contentions that you did not, nor would you ever assist your husband at the time to hide evidence, and that the allegations regarding your actions during an investigation are untrue. The Board significantly concurred with comments and directed action in the DC (M&RA) letter of 30 March 2017 and concluded that removal of the NAVMC HQ 335 with attachments, from your OMPF is not warranted. 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,

A large black rectangular redaction box covering the signature of the Executive Director.

Executive Director