

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]
[REDACTED]

counseling entry contained an administrative error, in that it identified Petitioner with the incorrect EDIPI, and directed the administrative correction of his record.

c. In correspondence, the officer that issued the counseling entry provided a request in support of removing the counseling entry. The officer indicated that there were inaccuracies present in the entry which are detrimental to the accuracy and fairness of Petitioner's record, and the counseling entry includes an incorrect violation of Article 134, UCMJ. Enclosure (4).

d. In his petition, Petitioner contends the article charged was not the correct article. He was charged for "indecent acts" when no indecent act was committed. Petitioner claimed his sole objective is to reenlist because the counseling is impeding his ability to do so. Enclosure (1).

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting corrective action. In this regard, the Board noted the correspondence from the officer that issued the Page 11 entry and found the request persuasive. Based on the officer's request, the Board determined found sufficient justification warranting removal of the counseling entry.

RECOMMENDATION

In view of the above, the Board directs the following corrective action.

Petitioner's naval record be corrected by removing enclosure (2).

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 Regulations, 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.

5/14/2024

