



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

█
Docket No. 2838-24
Ref: Signature Date

█
█
█

Dear █

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 25 April 2024. 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.

The Board determined your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined a personal appearance was not necessary and considered your case based on the evidence of record.

The Board carefully considered your request to remove the Administrative Remarks (Page 11) 6105 counseling entry dated 27 April 2023 and the corresponding rebuttal. Specifically, you contend you had “faced extreme challenges and struggles personally and professional[ly] on production as a recruiter.” However, you note that despite the “short falls” described in the counseling entry, you successfully completed your tour, earned your ribbon, and received a commendatory fitness report during the same time period. Lastly you contend the “paperwork does not reflect the character of Marine [you are].”

The Board, however, determined the counseling entry of 27 April 2023 creates a permanent record of matters your Commanding Officer (CO) deemed significant enough to document. The Board also determined the entry met the 6105 counseling requirements detailed in MCO 1900.16 (MARCORSEPMAN). Specifically, the Board noted the entry provided written notification concerning your deficiencies, specific recommendations for corrective action indicating any

assistance available, a comprehensive explanation of the consequences of failure to successfully take the recommended corrective action, and a reasonable opportunity to undertake the recommended corrective action. The Board also noted you availed yourself of the opportunity to provide a rebuttal statement, and in your statement dated 1 May 2023, you provide important context for those reading your record to consider. Further, the Board noted the entry was appropriately issued by a CO as evidenced by his signature on the entry. The Board carefully considered your contentions but determined the CO has wide discretion regarding the subject matter of a counseling entry, and it is within his discretionary authority to determine if/when a 6105 entry is warranted. The Board thus concluded there is insufficient evidence of material error or injustice warranting the removal of the contested counseling entry. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or 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, _____

5/14/2024

