



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

█  
Docket No. 4870-24  
Ref: Signature Date

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█  
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Dear Petitioner:

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 14 May 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 carefully considered your request to remove the 27 March 2024 Administrative Remarks (Page 11) entry and rebuttal statement. The Board considered your contention that according to the Marine Corps Separation and Retirement Manual (MARCORSEPMAN), a counseling statement of this nature should include specific recommendations for corrective action and indicate the assistance from the command. The counseling statement fails to provide specific recommendations for corrective action. While it outlines the alleged deficiency and its impact, it does not offer constructive guidance on how to address or rectify the situation. You claim that without clear recommendations, it is challenging for you to understand how to improve or prevent similar occurrences in the future. You also contend counseling statements are intended not only to identify deficiencies but also to assist service members in overcoming them.

The Board noted that pursuant to paragraph 6105 of the MARCORSEPMAN, you were issued a 6105 entry counseling you for failing to be at your appointed place of duty. The Board also noted that you acknowledged the entry and in your statement, you provided an explanation for your delay, arguments regarding the responsible parties, and the impact of your delayed arrival. The Board noted, too, that the contested entry provided written notification concerning your

deficiencies, the consequences for failure to take corrective action, and it afforded you the opportunity to submit a rebuttal. Moreover, your commanding officer signed the entry, and he/she determined that your misconduct was a matter essential to record, as it was his/her right to do.

The Board determined your contention regarding the omission of a recommendation for corrective action and where to seek assistance has merit. The Board, however, determined the omission of the recommendation and assistance is a harmless administrative error and does not invalidate the counseling entry. The Board noted your rebuttal statement and determined that you demonstrated an informed understanding of the basis for the counseling entry. Moreover, there is insufficient evidence that the omission of the statements impeded your ability to provide a sufficient response to the deficiencies documented in the counseling entry and to understand how to correct the deficiency. The Board thus concluded that there is no probable material error, substantive inaccuracy, or injustice warranting corrective action. 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,

5/31/2024

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Executive Director

Signed by: █