



Subj: REVIEW OF NAVAL RECORD OF [REDACTED]  
XXX XX [REDACTED] USMC

c. On 1 August 2023, Petitioner was issued a 6105 entry, counseling him for violating Article 92, Uniform Code of Military Justice for failure to obey an order or regulation. Petitioner signed the entry and although he elected to submit a statement, the Board found no evidence of a statement in his official record. Enclosure (5).

d. On 15 November 2023, in a letter to the Commandant of the Marine Corps (MMRP-2) the CO, [REDACTED] noted that, since issuing Petitioner the contested counseling entry and requesting that his promotion to MSgt be revoked, “more evidence came to light after the initial investigation.” The CO thus determined Petitioner did not conduct misconduct and recommended that the counseling entry be removed from Petitioner’s official record, and that his promotion to MSgt be delivered with an effective date of 1 April 2023. The Commandant of the Marine Corps (MM) reviewed the CO’s request and directed Petitioner’s promotion to MSgt with an effective date of 1 September 2023. Enclosures (6) and (7).

e. Petitioner contends that subsequent to the CI, he was exonerated of any wrongdoing and “the 6105 no longer holds value” and requests that it be removed from his record.

## CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting relief.

In this regard, the Board gave substantial consideration to the letter provided by the CO recommending that Petitioner’s promotion to MSgt be delivered and also favorably endorsing removal of the counseling entry. The Board also noted that the CMC approved the CO’s request for delivery of Petitioner’s promotion to MSgt based on the determination that the counseling entry and associated promotion revocation paperwork were no longer valid. The Board thus concluded the counseling entry and promotion revocation documentation should be removed from his official record.

## RECOMMENDATION

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

Petitioner’s naval record be corrected by removing enclosures (2) through (5).

Any material or entries inconsistent with or relating to the Board’s recommendation be corrected, removed, or completely expunged from Petitioner’s record, and no such entries or material be added to the record in the future. This includes, but is not limited to, all information systems or database entries that reference or discuss the expunged material.

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

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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.

8/7/2024

