



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

██████████
Docket No. 7655-24
Ref: Signature Date

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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.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your application on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 10 January 2025. The names and votes of the panel members 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 the 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, an Advisory Opinion (AO) provided by Navy Department Board of Decorations and Medals (NDBDM), dated ██████████, and applicable statutes, regulations, and policies.

You enlisted in the Marine Corps and began a period of active service on 17 August 2009. On 12 September 2019, you were notified of your relief for cause from Drill Instructor duty due to misconduct and loss of confidence in the ability for you to effectively perform your duty. On 17 September 2019, you received a summary court-martial (SCM) for five specifications of failure to a lawful order and two specifications of assault and battery. Ultimately, you were discharged on 18 December 2022 with an Honorable characterization of service.

On 25 June 2024, Headquarters Marine Corps responded to your request for eligibility for the Marine Corps Drill Instructor Ribbon. You were notified that there was no evidence to substantiate your entitlement to the Marine Corps Drill Instructor Ribbon (MCDIR).

The Board carefully considered all potentially mitigating factors to determine whether the interests of justice warrant relief in your case. These included, but were not limited to, your desire to have the MCDIR to be added to your DD Form 214 and your contention that you served the required time as a drill instructor to qualify for the ribbon.

Based on your request, the Board considered the AO from NDBDM. The AO stated in pertinent part:

Per the SECNAV M-1650.1, Navy and Marine Corps Awards Manual of 16 Aug 2019, regardless of the time served, personnel that were transferred for relief of cause forfeit their eligibility to receive the MCDIR.

The crux of the claim is the Petitioner was relieved for cause, had his 0911 MOS revoked, and is therefore ineligible for the MCDIR regardless of time served

The AO concluded, "Petitioner is not entitled to the MCDIR and found no evidence of material error or injustice. Therefore, we recommend BCNR deny relief. Were BCNR to grant relief in this case, such action would be inconsistent with the criteria and standards applied to all other Service Members."

After thorough review, the Board determined your DD Form 214 is correct. The Board found no basis for adding the MCDIR to your DD Form 214. In making this finding, the Board concurred with the AO that regulations do not provide for the listing of the MCDIR on your DD Form 214 due to your relief for cause as a drill instructor. 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,

2/4/2025

