



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

[REDACTED]
Docket No. 10677-24
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

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

Ref: (a) Title 10 U.S.C. § 1552
(b) MCO 1900.16 (MARCORSEPMAN)

Encl: (1) DD Form 149 w/enclosures
(2) MCTFS PFT 183 Remarks, 29 Oct 24
(3) Medical Paperwork, 28 Jun 24
(4) Administrative Remarks (Page 11) 6105 counseling, 15 Jul 24
(5) Petitioner rebuttal to the 6105 counseling, 18 Jul 24

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his naval record be corrected by removing enclosures (4) and (5).

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED] reviewed Petitioner's allegations of error and injustice on 5 November 2024, and pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of Petitioner's naval records, and applicable statutes, regulations, and policies.

3. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulation within the Department of the Navy. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, found as follows:

a. On 28 June 2024, Petitioner conducted the semi-annual physical fitness test (PFT) failing the run portion. The same day, Petitioner was seen at a medical treatment facility and diagnosed with a strain of knee and right leg. The attending physician directed Petitioner to follow up with his primary care provider within 5 to 7 days. Enclosures (2) and (3).

b. On 15 July 2024, Petitioner was issued a 6105 counseling entry for failure to pass the PFT on 28 June 2024, specifically, failure to meet the minimum requirements for the 3 mile run portion. Petitioner signed the counseling entry and chose to submit a written rebuttal. In his rebuttal, he explains that while conducting the three mile run, at approximately the two mile mark, he started to feel pain in his right knee which caused him to slow down. He continued to run to get to the finish line. When he arrived at the finish line, Petitioner explains he informed the Command Physical Training Representative and was told to go to the on base Medical Clinic to be examined. Upon being seen, Petitioner was told to go to the Tripler Army Medical Center and told to follow up with

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his Primary Care Provider and also given a 30 day light duty chit and directed to schedule an MRI for further examination. Enclosures (4) and (5).

c. Petitioner contends that the 6105 counseling entry should be removed because during the PFT, he injured his knee and failed the 3 mile portion of the PFT. Enclosure (1)

CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting relief. The Board determined that although the contested counseling entry was written and issued according to reference (b) and the commanding officer signed the counseling entry when determining that it was a matter essential to record, as it was his right to do. However, the Board also noted Petitioner provided sufficient evidence to conclude he was injured while running the three mile portion of the PFT and determined the counseling entry to be an injustice. Thus, the Board determined in the interest of justice that the counseling entry and associated rebuttal shall be removed from his official record.

RECOMMENDATION

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

Enclosures (2)¹, (4), and (5) will be removed from Petitioner's official record.

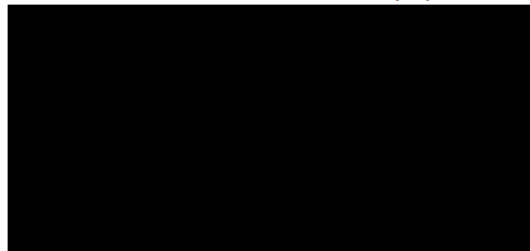
Any material or entries inconsistent with or relating to the Board's recommendation be corrected, removed, or completely expunged from Petitioner's record, and that no such entries or material be added to the record in the future. This includes, but is not limited to, all information systems or database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

Sincerely,

11/22/2024



¹ The PFT dated 28 June 2024 will be deleted from MCTFS 183 Remarks.