



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

██████████  
Docket No. 12461-24  
Ref: Signature Date

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██  
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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 20 March 2025. 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 your 6105 counseling entry received on 4 January 2023 for violation of Article 107 (False Official Statement) of the Uniform Code of Military Justice (UCMJ). Specifically, on 13 December 2022, you wrote a Move to Contact time of 3:20 for another Marine's Combat Fitness Test, knowing that the Marine did not run 3:20. You signed the counseling entry and elected not to make a statement. You contend that the entry is unjust as it does not reflect your overall performance. In support of this request, you submitted a letter from the commanding officer, now retired, who issued the counseling, stating that he supports removal of the counseling entry because of your excellent performance before and after the incident.

The Board determined that there was no error with the entry as it provided written notification concerning your deficiency, where to seek assistance, and potential consequences if further violations occur in accordance with MCO 1070.12K, Marine Corps Individual Records Administration Manual. Moreover, the Board determined the entry was not unjust as it was factual when issued. Both you and your former commanding officer agree that the incident occurred, thus your overall performance after the counseling is not a sufficient basis for removal. Consequently, the Board concluded that there is no material error or injustice warranting further action, the counseling entry is valid and shall remain in your official military personnel file.

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,

4/5/2025

