



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

██████████
Docket No. 193-25
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 case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 25 February 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 determined that a personal appearance with or without counsel will not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

The Board carefully considered your request to remove the 14 February 2016 Administrative Remarks (Page 11) counseling entry. The Board considered your contention that the counseling entry does not meet the requirements set forth in the Marine Corps Enlisted Promotions Manual (MARCORPROMAN) regarding promotion restrictions. You claim the reason given was due to "a lack of leadership" as punishment for showing up late to a formation.

The Board noted that pursuant to MARCORPROMAN and Marine Corps Individual Records Administration Manual (IRAM), you were issued a Page 11 entry notifying you that you are eligible but not recommended for promotion to corporal for the month of March because of a lack of leadership. The Board also noted that you acknowledged the entry and elected not to submit a rebuttal. The Board, however, determined that the contested entry was written and issued according to the MARCORPROMAN and IRAM. In this regard, the IRAM directs

commanders to “make a not recommended for promotion entry for each month/quarter a Marine is not recommended for promotion to the grades of PFC through Sergeant.” Additionally, according to the MARCORPROMAN, promotion restrictions are not punitive in nature and allow commanders a minimum period to observe a Marine whose conduct or performance has given the commander reason to doubt whether the Marine is ready to assume the duties and responsibilities of the next higher grade.

The Board found no error or injustice in the Commanding Officer’s decision that you were not ready to assume the duties and responsibilities of the next higher grade at the time of the entry. Moreover, the Board found no evidence, other than your statement, that the counseling entry does not meet the requirements of the MARCORPROMAN. The Board relies on a presumption of regularity to support the official actions of public officers, in the absence of substantial evidence to the contrary, the Board will presume that they have properly discharged their official duties. The Board found your evidence insufficient to overcome this presumption. 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,

3/13/2025

