



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

█  
Docket No. 784-25  
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.

A three-member panel of the Board, sitting in executive session, considered your application on 8 April 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 your personal appearance, with or without counsel, would 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.

On 29 January 2024, a preliminary inquiry (PI) determined you committed recruiter malpractice by falsifying educational documents in an attempt to fraudulently enlist an applicant into the United States Marine Corps. On 7 March 2024, your Commanding Officer (CO) formally counseled you and you submitted a rebuttal. On 8 May 2024, you were relieved for cause from █ by the Commanding General (CG) █. You subsequently received a formal counseling (Page 11) entry, dated 12 June 2024, and an adverse fitness report, covering the period 21 May 2024 to 21 June 2024, documenting the relief for cause.

You request the Board to remove any and all derogatory material from your record; to include the Page 11 formal counseling entries and the adverse fitness report. You further request to receive the Marine Corps Recruiting Ribbon and documentation in your record noting successful completion of recruiting duty. You argue you were unjustly found to have committed recruiter

malpractice and contended that the investigator left out vital pieces of material which would have shown your innocence.

The Board carefully considered your request and noted the CO, [REDACTED], the CO, [REDACTED], and the CG, [REDACTED] reviewed the PI, concurred with the Investigating Officer's recommendations, and found the evidence sufficient to warrant formal counseling and removal from recruiting duty. The Board further noted you had the opportunity to present contrary evidence via your rebuttal to the counseling entries and with this petition, but you provided no material information supporting your contentions. Thus, the Board found the presumption of regularity applies in your case and the preliminary investigation's factual findings contained sufficient evidence for your command to conclude that you committed recruiter misconduct.

In addition, the Board noted the counseling entries were written and issued in accordance with Marine Corps Order 1070.12K, Marine Corps Individual Records Administration Manual (IRAM). Specifically, the entries provided written notification concerning your deficiencies, specific recommendations for corrective action, where to seek assistance, and consequences for failure to take corrective action. Moreover, the entries offered you the opportunity to submit a rebuttal and were signed by you and the CO. Finally, the Board noted the CO was within his authority to issue the Page 11 entries as the matter was significant enough to document.

With regard to the fitness report in question, the Board noted you did not exhaust all administrative remedies and should have directed this request to the Performance Evaluation Review Board. Nonetheless, the Board concluded that the fitness report was properly marked as adverse based on your removal for cause due to your recruiter misconduct. Therefore, the Board found no basis to remove the fitness report, change your record to indicate completion of your recruiting assignment, or grant your request for a recruiting ribbon. Consequently, the Board concluded there is no material error 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,

4/28/2025

