



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

██████████
Docket No. 821-25
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 20 May 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 the 22 June 2021 Administrative Remarks (Page 11) counseling entries "(6105s)." The Board considered your contention that the counseling entries should be removed because they were not authenticated or properly counseled by the correct authority. According to MCO 5000.14D, under the Commander's specific responsibilities, it states: "Counseling and authenticating administrative remarks entries (Page 11) in the Service Record Book (SRB) and Officer Qualification Record (OQR)." You assert that the entries were not signed by the appropriate authority and do not comply with the regulation. As evidence, you provided promotion warrants signed by the respective commanding officers (COs) and assert that it is evident the signatures on the warrants do not match those on the counseling entries.

The Board noted that pursuant to paragraph 6105 of the Marine Corps Separation and Retirement Manual (MARCORSEPMAN), you were issued a Page 11 entry counseling you for obtaining a personal cell phone number from an official government document to contact a Staff Sergeant to ask for her social media accounts. On the same date, you were issued a counseling entry not recommending you for promotion to E-4 for the month of July. The Board also noted that you acknowledged the entries and elected not to submit a statement. The Board determined that the

counseling entries was written and issued according to the MARCORSEPMAN and Marine Corps Individual Records Administration Manual (IRAM). Specifically, the 6105 counseling entry provided written notification concerning your deficiencies, specific recommendations for corrective action, where to seek assistance, the consequences for failure to take corrective action, and it afforded you an opportunity to submit a rebuttal. The entry not recommending for promotion is not a 6105. The entry included the period of promotion restriction, your deficiencies, and it afforded you an opportunity to submit a rebuttal.

The Board noted your reliance upon MCO 5000.14D. However, the Board determined that the appropriate references for issuing counseling entries are the MARCORSEPMAN and the IRAM. The Board also noted that the signature line for both counseling entries indicate that they were signed by the CO. As your CO, the Board determined that he/she acted within their discretionary authority when issuing the counseling entries. Moreover, the Board is not an investigative body and 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,

6/2/2025

