



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

[REDACTED]
Docket No. 2483-25
Ref: Signature Date

[REDACTED]

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 17 September 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 10 March 2022 Administrative Remarks (Page 11) entry and rebuttal statement. The Board considered your contention that you have proof of communication from the leadership stating that Staff Non-Commissioned Officers and Officers were not required to attend physical training. You claim that you were verbally counseled about the miscommunication and, from that point forward, you attended every physical training session. You also claim that you were merely stopping someone from running into you and did not, nor intended to, cause bodily harm. As evidence, you provided emails dated 9 February 2022 and 10 March 2022.

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 being in an unauthorized absence status on 17 February 2022. You were also counseled for assaulting a junior Marine walking near you by pushing the Marine without legal justification or excuse. The Board also noted that you acknowledged the entry, and in your statement, you referenced an email inviting students to attend physical training but not mandating attendance. You also claimed that you raised your arm and reached out to stop the Marine from running into you. The Board determined that the contested entry was written and issued according to the

MARCORSEPMAN. Specifically, the 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 the opportunity to submit a rebuttal. Moreover, your commanding officer signed the entry and acted within his/her discretionary authority when determining that your misconduct was a matter essential to record, as it was his/her right to do.

The Board noted that the email dated 9 February 2022 referenced the “kickoff PT on Monday, 14 February at 0445.” The email did not include the 17 February 2022 physical training session noted in your counseling entry. The Board also noted the 10 March 2022 email in which you requested access to security footage showing the alleged assault of the junior Marine. The Board, however, found your evidence insufficient to conclude that your counseling entry was unwarranted. Moreover, 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 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,

11/19/2025
[REDACTED]