



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

701 S. COURTHOUSE RD

ARLINGTON, VA 22204

█
Docket No. 2770-25

Ref: Signature Date

From: Chairman, Board for Correction of Naval Records

To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF █
█ USMC

Ref: (a) 10 U.S.C. § 1552
(b) Uniform Code of Military Justice (UCMJ)

Encl: (1) DD Form 149 w/enclosures
(2) Administrative Remarks (Page 11) counseling entry of 23 January 2024
(3) Administrative Remarks (Page 11) entry of 29 January 2024

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting removal of enclosure (2), an Administrative Remarks (Page 11) counseling entry dated 23 January 2024 and enclosure (3), a Page 11 entry dated 29 January 2024.

2. The Board, consisting of █, █, and █, reviewed Petitioner's allegations of error and injustice on 28 January 2026 and, pursuant to its regulations, determined the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of Petitioner's naval records, and applicable statutes, regulations, and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, found as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulation within the Department of the Navy.

b. On 23 January 2024, Petitioner was issued a Page 11 counseling him for violating Article 128b (Domestic Violence) of reference (b) after being charged with spousal domestic violence. He submitted a statement in rebuttal denying the allegation and detailing the circumstances of the alleged offense. See enclosure (2).

c. On 29 January 2024, Petitioner acknowledged his understanding that he was not recommended for promotion to lance corporal due to recent and pending legal action. Although provided an opportunity to indicate whether he desired to submit a rebuttal, Petitioner made no election. See enclosure (3).

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d. On 9 July 2024, an administrative discharge board (ADB) determined by majority vote that the preponderance of evidence did not prove any of the acts or omissions alleged in the notification¹ and voted to retain Petitioner.

e. Petitioner contends the counseling entry should be removed because he was never formally charged with domestic violence, and the Page 11 entries were issued based on the evidence available at the time, which was just a police report. Further, Petitioner contends the ADB's findings also warrant removal of the Page 11 entries. In support of Petitioner's request for relief, Commanding Officer (CO), [REDACTED], submitted a letter endorsing the request to remove the 6105 counseling and Page 11 entry. See enclosure (1).

CONCLUSION:

Upon review and consideration of all the evidence, the Board determined Petitioner's request warrants partial relief.

Relying on the CO's concurrence with Petitioner's request for removal and explanation of the adverse documentation, the Board determined the Page 11 counseling entry of 23 January 2024 should be removed from Petitioner's OMPF.

However, noting the Page 11 entry of 29 January 2024 does not mention domestic violence, the Board determined the entry was valid and accurate when issued and should be retained.

RECOMMENDATION:

In view of the above, the Board recommends the following corrective action.

Petitioner's naval record be corrected by removing enclosure (2), the Page 11 counseling entry of 23 January 2024.

That no further changes be made to Petitioner's naval record.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulation, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing

¹ Since Petitioner was retained, the administrative separation processing documentation is not in his official military personnel file (OMPF). Petitioner submitted the ADB Report for consideration by this Board.

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corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

2/21/2026

