



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

701 S. COURTHOUSE RD

ARLINGTON, VA 22204

█
Docket No. 3483-25

Ref: Signature Date

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Dear █

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 December 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, as well as the 2 June 2025 decision furnished by Headquarters, U.S. Marine Corps (HQMC), Head of the Military Personnel Law Branch. The AO was provided to you on 11 June 2025, and you were given 30 days in which to submit a response. Although you were afforded an opportunity to submit a rebuttal, you did not do so.

The Board carefully considered your request to remove the Navy and Marine Corps (NAVMC) 118(11)/6105 counseling entry, dated 23 August 2023, from your official military personnel file, along with your contentions that an administrative separation board (ASB), convened in response to your alleged offense, concluded that the preponderance of evidence did not prove any of the acts of omissions alleged against you. You further contend that you received a letter from your commanding officer (CO) endorsing your retention in the service.

In its review of your request and all available evidence, the Board determined you did not demonstrate probable material error, substantive inaccuracy, or injustice warranting removal of the counseling entry from your record. Although you contend the ASB exonerated you of the offense, the Board points out that the decision by the ASB, after the fact, did not override your CO's prior responsibility to evaluate and comment on your performance at the time of your offense. An administrative process occurring after issuance of a valid counseling entry does not render the entry invalid or unjust.

Lastly, although the Board noted that the AO recommended approval of your request, in part, the Board is not bound by the AO and, in your case, did not agree with the it. Specifically, the AO recommended removing the following language from your counseling entry: "I understand that I am being processed for the following judicial or adverse administrative action: administrative separation." The Board found this recommendation unconvincing because, at the time the counseling entry was made, the entry, including reference to potential administrative separation, was not only compliant with, but required by, the Marine Corps Individual Records Administration Manual (IRAM), and thus valid. As such, the Board concluded that there is no probable material error, substantive inaccuracy, or injustice warranting the corrective action you've requested. Accordingly, given the totality of the circumstances, the Board determined 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,

1/5/2026

