



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE RD
ARLINGTON, VA 22204

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Docket No. 3666-25
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 22 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 13 June 2025 Advisory Opinion (AO) furnished by Headquarters, U.S. Marine Corps (HQMC), Military Personnel Law Branch. The AO was provided to you on 20 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 Unit Punishment Book (UPB) entry, dated 19 August 2020, from your Official Military Personnel File (OMPF), along with your contention that the entry should be removed because it contains multiple errors.

The Board, however, substantially concurred with the AO, in its entirety, finding that you did not demonstrate probable material error, substantive inaccuracy, or injustice warranting removal of the UPB entry. Foremost, the Board noted that the Board relies on a presumption of regularity to support the official actions of public officials, and, in the absence of substantial evidence to the contrary, will presume they have properly discharged their official duties. As the Petitioner, you had the burden of overcoming this presumption by providing substantial evidence that a probable material error or injustice exists, warranting the correction you request. The Board found you did not do so.

Specifically, regarding the errors you allege in the UPB, the Board found: 1) Regarding block 1, the UPB provides an adequate summary of the offense, to include the date and time of the alleged offense. No further detail is required. 2) The errors alleged in blocks 2, 4, and 12 are immaterial errors caused by you. The Board noted that you reviewed, signed, and dated all three blocks but failed to make written elections for each block. These errors are immaterial because your signature, in each, indicates that you were notified and aware of your rights. Additionally, your commanding officer (CO) signed block 3, certifying that you were advised of your rights in block 2. The Board agreed with the AO that you cannot create your own windfall by failing to correctly fill out the paperwork and then later use your own errors to argue for removal of an otherwise valid execution of command authority to impose non-judicial punishment (NJP). 3) Regarding block 6, although the total forfeiture amount and date of final disposition is missing, you do not allege or present any evidence to suggest the punishment was executed incorrectly. As previously stated, the presumption of regularity supports that your punishment was executed as described and in accordance with applicable rules and regulations. 4) Regarding block 9, the Board found no material error in the administrative oversight of your CO in not circling the singular offense versus plural offenses when you were clearly notified in block 2 of the single offense. 5) Lastly, regarding block 13, you signed block 12, indicating you were advised of and understood your right to appeal. You did not submit an appeal, therefore, blocks 13-15 were not required to be completed. Your failure to utilize the NJP appellate process, which would have been the most immediate avenue for appealing the issues you now identify, is another factor weighing in the Board's decision to decline to grant relief.

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.

In the absence of sufficient new evidence for reconsideration, the decision of the Board is final, and your only recourse would be to seek relief, at no cost to the Board, from a court of appropriate jurisdiction.

Sincerely,

1/5/2026

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