



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

██████████
Docket No. 3901-25
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 14 January 2026. 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 determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

The Board carefully considered your request to remove the Page 11 (6105) counseling, dated 2 November 2020, from your record, along with your contentions that the counseling and documentation process contained significant administrative errors and procedural injustices that warrant removal of the entry.

The Board considered the evidence you provided, along with your entire Official Military Personnel File, and found insufficient evidence to warrant removal of the counseling. Rather, the Board found the counseling is a matter of record in your official file that accurately documented deficiencies in your performance and conduct, specifically a violation of Article 92 (failure to obey a lawful order), that was substantiated by a command investigation. Despite your contentions, the Board found no error, procedural or otherwise, in either the content of the

counseling, or its entry into your official record. The Board observed commanders are authorized to make such entries that are essential to document an event in a Marine's career for which no other means or method of recording exists. The entry must provide written notification concerning deficiencies, specific recommendations for corrective action, where to seek assistance, consequences for failure to take corrective action, signed by the commanding officer, and afford the Marine an opportunity to submit a rebuttal. The Board found your entry met all requirements and noted your rebuttal. Additionally, although you offered as one error the advisory nature of Regimental Bulletin 1700.2 concerning COVID-19 mitigation measures, the Board noted the punitive implications, or lack thereof, of violating this policy does not invalidate the entry. Lastly, the Board relies on a presumption of regularity to support the official actions of public officers, and in the absence of substantial evidence to the contrary, the Board will presume they have properly discharged their official duties. Thus, barring convincing evidence to the contrary, the Board concluded the counseling entry remains valid in its entirety and should remain in your record. As such, the Board concluded there is no probable material error, substantive inaccuracy, or injustice warranting corrective action. 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,

1/27/2026

