



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

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Docket No. 4529-25
Ref: Signature Date

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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 5 February 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 carefully considered your request to remove an Administrative Remarks, 6105 counseling entry, related to violation of Article 92 of the Uniform Code of Military Justice (UCMJ), from your Official Military Personnel File (OMPF). You contend that the counseling entry should be removed to accurately reflect the findings of your Administrative Discharge Board (ADB).

After careful review, the Board found you did not demonstrate probable material error, substantive inaccuracy, or injustice warranting removal of the counseling entry. Rather, the Board opined, a 6105 counseling entry is an administrative tool that documents a commander's decision. It is afforded a presumption of regularity, meaning, in the absence of substantial evidence to the contrary, the Board will presume your CO properly discharged his official duties in relation to the counseling entry. To overcome this presumption, you must provide substantial evidence that your CO's decision was unjust or materially in error. The Board found you failed to do so. Additionally, even though the ADB did not find misconduct and recommended your retention, the Board noted that an ADB is administrative in nature with the fundamental purpose of determining suitability to serve on the basis of conduct and ability to meet and maintain the required standards of performance. It is not intended to, nor does it function as, a method to

overturn or invalidate other Marine Corps procedures or administrative actions. Thus, regardless of the outcome of the ADB or the Commanding General's concurrence with the findings of the ADB, the Board found it had no impact on the validity of the counseling entry previously made by your CO. 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,

2/24/2026

