



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

██████████
Docket No. 4599-25
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 28 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 Administrative Remarks (Page 11) entries dated 18 August 2023, 28 September 2023, and 6 February 2024, in addition to the associated rebuttal statements. The Board also considered your contention that the counseling entries were resolved and dismissed.

Regarding the first two entries, the Board noted that you were issued a Page 11 entry pursuant to paragraph 6105 of the Marine Corps Separation and Retirement Manual (MARCORSEPMAN) on 18 August 2023 after your urine sample that tested positive for Delta-9 THC. Subsequently, on 28 September 2023, you were issued a counseling entry notifying you that you are restricted from promotion due to your pending administrative separation for illegal drug use.

In your statement, you claimed innocent ingestion. While you acknowledge that hemp-derived THC9 is prohibited for service members, you argue that hemp-derived THC9 is a lawful

commercially sold product often infused in vape products. The Board noted that a third-party chemical analysis by the Navy Drug Screening Laboratory (NDSL) on the vape product found that exposure to these products would not produce a THC-positive urinalysis without also indicating the presence of THC8. This detracted from the credibility of your innocent ingestion defense.

Regarding the third entry, the Board noted, on 6 February 2024, you were issued a Page 11 entry pursuant to paragraph 6105 of the MARCORSEPMAN for the misuse of your Government Travel Charge Card (GTCC). In your statement, you claimed a former non-commissioned officer (NCO) told you the GTCC was for emergencies but did not inform you of the consequences of misuse. However, the Board reviewed an email from the Defense Travel System Clerk confirming that you purchased an airline ticket to fly ██████████ for Thanksgiving and withdrew \$200 cash with your GTCC. The email also confirmed that you completed the required GTCC training and signed a Statement of Understanding, indicating you knew the GTCC is for official travel only. Furthermore, your NCO had informed you that the GTCC could not be used for this purpose.

The Board's review confirmed that your counseling entries are valid and were issued in accordance with the Marine Corps Promotion Manual (MARCORPROMAN) that restricts promotion within 18-months of the date of confirmed distribution, use, or possession of illegal drugs, and the MARCORSEPMAN. The 6105 entries provided written notification concerning your deficiencies, specific recommendations for corrective action, where to seek assistance, the consequences for failure to take corrective action, and the entries afforded you the opportunity to submit a rebuttal. The Board determined that your Commanding Officer (CO) acted properly and within his/her discretionary authority.

The Board further determined that your reliance on the outcome of your administrative separation board is misguided. Administrative separation boards and the issuance of a counseling entry are separate processes with specific functions. The purpose of a separation board is to determine a Marine's suitability for continued service, and its findings are not binding on the CO's authority to document misconduct, such as illegal drug use. Moreover, under the Manual for Courts-Martial, a positive urinalysis alone may be legally sufficient to sustain a conviction for wrongful use of a controlled substance. Therefore, the Board concluded that there is no probable material error, substantive inaccuracy, or injustice warranting corrective action. Accordingly, given the totality of the circumstances, the Board determined that 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,

2/18/2026

