



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

██████████
Docket No. 4682-25
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 18 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 expunge the nonjudicial punishment (NJP) imposed on 25 March 2025 due to your violation of Article 121 (larceny and wrongful appropriation) of the Uniform Code of Military Justice. You contend the "punishment was disproportionate to the offense because the value of the items and circumstances of the mistake do not correspond to the severity of the penalties." In total, you contend the NJP "cost" you \$3004.99. Additionally, you contend your requested relief is warranted because, for the past three and a half years, you have "maintained a spotless record with no prior incidents and negative paperwork until this matter" and you paid the Marine Corps Community Services \$200 in administrative costs plus the \$4.99 cost of the item. You further contend "a mistake like this should not be weighed more than [your] clear record and stellar performance." Lastly, in support of your request for relief, you submitted character statements and Marine Reported on Worksheets for the Board's consideration.

The Board determined there was insufficient evidence of an error or injustice in the NJP decision and concluded your NJP should remain unchanged in your official military personnel file. Specifically, although you contend the punishment was disproportionate to the offense, the Board noted you declined to appeal the punishment at the time of the NJP. The Board, even noting your prior performance, determined there was insufficient evidence of an error or injustice

in the Commanding Officer's (CO) decision to impose NJP for larceny and to award reduction in rate, forfeiture, restriction, and extra duties. The Board considered that your CO has a significant discretion in determining an appropriate punishment for misconduct in his unit. For example, in addition to considering the cost of an item in a larceny case and a service member's prior conduct, the CO may consider many other factors such as the service member's rank and years of service, the negative impact of a non-commission officer (NCO) engaging in shoplifting, the discrediting effect such misconduct has on the Marine Corps, and the overall negative effect such misconduct has on the good order and discipline of a unit, etc. Based on the available evidence, the Board found the punishment awarded at your NJP to be reasonable and not an abuse of discretion, and not disproportionate for the offense of larceny by a NCO. Therefore, the Board found insufficient evidence of an error or injustice to merit modification or removal of the NJP from your record. 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,

3/10/2026

