



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

701 S. COURTHOUSE RD

ARLINGTON, VA 22204



Docket No. 4805-25

Ref: Signature Date



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 6 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 determined that a personal appearance with or without counsel would not materially add to their understanding of the issues involved. Therefore, a personal appearance was not necessary, and the Board considered your case based on the evidence of record.

The Board carefully considered your request to remove your Report of Misconduct (ROM) dated 10 January 2023¹ and to reinstate your promotion to Captain (O-3) effective 1 February 2024². The Board considered your contentions that the Command Investigation (CI) failed to account for systemic leadership failures and lack of mentorship. You claim that character statements attest to your professionalism, leadership and character. Further, the adverse material does not reflect the totality of his service, your personal awards, and favorable promotion endorsements support your request.

The Board, however, determined that the Commanding General, [REDACTED] (CG, [REDACTED]) and CG, [REDACTED] (CG, [REDACTED]) acted within their discretionary

¹ You requested to remove the ROM dated August 2023. There is no August 2023 ROM or associated endorsement in your record.

² Your request for promotion is moot and was not considered by the Board. On 11 July 2023, you were notified that your promotion was withheld pending SECNAV determination. On 15 November 2025, via naval message, your promotion was authorized effective 1 February 2024.

authority and in accordance with the Marine Corps Legal Support and Administration Manual (LSAM) when they found your actions constituted misconduct and submitted the ROM.

In making this determination, the Board noted that the Investigating Officer (IO) for the CI found that you violated the Marine Corps Prohibited Activities and Conduct (PAC) policy definition of harassment. Based on corroborated statements, the IO reasoned that you, more likely than not, made intimidating and offensive remarks to multiple Marines. The IO concluded that your actions were unbecoming of a Marine Corps Officer and Commander and were inappropriate, intimidating, offensive, and unprofessional.

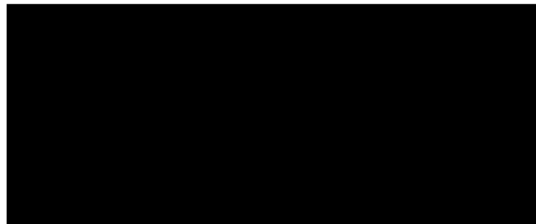
The CG, [REDACTED] substantiated a violation of the PAC policy for workplace harassment and submitted the ROM. In his endorsement, the CG, [REDACTED] concurred that the administrative actions appropriately addressed your misconduct and recommended that all adverse material be included in your Official Military Personnel File (OMPF). As the Show Cause Authority, the Deputy Commandant, Manpower & Reserve Affairs determined that processing for administrative separation was not warranted but directed the inclusion of the adverse material in your OMPF.

According to the LSAM, it is the responsibility of the first General Court Martial Convening Authority (GCMCA) to determine whether the officer either did or did not commit the alleged misconduct. When the GCMCA determines that the officer did commit misconduct, the GCMCA must take appropriate action to dispose of the case. The Board determined that your arguments regarding the conduct of the investigation were properly adjudicated during your appeal of the CI. Moreover, the Board is not an investigative body and presumes the regularity of the official actions of public officers. In the absence of substantial evidence to the contrary, the Board will presume that public officers have properly discharged their official duties. Your evidence was found insufficient to overcome this presumption. Therefore, 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 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,

2/21/2026

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