



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

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Docket No. 4966-25
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 11 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 your Administrative Remarks (Page 11) entry dated 6 February 2025 and your rebuttal statement. You also request the reinstatement of your promotion to Gunnery Sergeant (E-7), effective 1 February 2024, with retroactive pay. The Board considered your contentions that the counseling entry was issued after an unfounded investigation with no substantiated misconduct and that your promotion was improperly revoked based on perception rather than evidence. You assert that you never used drugs, all testing was clean, and this correction will remove an unjust entry and restore the rank you earned.

The Board noted that pursuant to paragraph 6105 of the Marine Corps Separation and Retirement Manual (MARCORSEPMAN), you were issued a Page 11 entry counseling you for posting a picture online with the implication of possessing drug paraphernalia on 27 September 2023. In your statement, you acknowledged the reason behind the entry, felt you should not receive the entry, but realized you should be more careful and not post anything with the semblance of illegal material. The Board determined that the contested entry was written and issued according to the MARCORSEPMAN. Specifically, the entry provided written notification concerning your deficiencies, specific recommendations for corrective action, where to seek assistance, the consequences for failure to take corrective action, and it afforded you the opportunity to submit a

rebuttal. Moreover, a command investigation substantiating misconduct is not a prerequisite for a commander to document conduct they deem to be an essential and permanent part of a Marine's record. Accordingly, the Board determined that your commanding officer acted properly and within his/her discretionary authority.

The Marine Corps Enlisted Promotion Manual requires a commander who deems a selected Marine to be unqualified for promotion to notify the Commandant of the Marine Corps (CMC) before the effective date of promotion. On 2 August 2023, you were notified of your commanding officer's intent to recommend a delay of your promotion, at which time you elected not to make a statement. The CMC, who is the sole authority for enlisted promotions, subsequently revoked your selection on 1 November 2024. The Board found no error in this process and concluded that the CMC acted properly and within his discretionary authority.

The Board relies on a presumption of regularity, which presumes that, in the absence of substantial evidence to the contrary, public officers have properly discharged their official duties. The Board found your evidence insufficient to overcome this presumption. 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 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,

3/12/2026

