



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

Docket No. 5747-25
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.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 11 March 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 the Administrative Remarks 6105 counseling entry, dated 18 June 2021, and your accompanying rebuttal, from your Official Military Personnel File. You contend the counseling entry contains vague negative comments without adequate factual basis.

The Board, however, found that you did not demonstrate probable material error, substantive inaccuracy, or injustice warranting the relief requested. Specifically, the Board found your contention lacked merit. The Board opined, pursuant to the Marine Corps Separation Manual (MARCORSEPMAN), the purpose of a 6105 counseling entry is to allow a Commanding Officer (CO) to document substandard performance or misconduct that the CO determines, in his or her discretionary authority, is an essential matter to record. Furthermore, the 6105 counseling entry must provide written notification concerning deficiencies, specific recommendations for corrective action, where to seek assistance, the consequences for failure to take corrective action, and afford the opportunity to submit a rebuttal. It must also be signed by the Marine and CO.

Upon review of the counseling entry in question, the Board found the content of the entry met the requirements of the MARCORSEPMAN. Additionally, in your rebuttal, you acknowledged the deficiencies addressed. Given these facts, the Board concluded your CO acted within his discretionary authority, the MARCORSEPMAN was adhered to, and the counseling entry is valid. Although the Board carefully considered your statement and the positive witness statements you provided, the Board noted you did not provide a statement from the CO who issued the counseling, and that the favorable opinions of other service members do not invalidate the decision of your CO to document performance deficiencies. Lastly, the Board opined, it relies on a presumption of regularity to support the official actions of public officers, and in the absence of substantial evidence to the contrary, will presume your CO properly discharged his official duties. The Board found your evidence insufficient to overcome this presumption. 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,

3/27/2026

