



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

Docket No. 6544-25
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 18 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 determined your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined a personal appearance was not necessary and considered your case based on the evidence of record.

The Board carefully considered your request to remove a 6105 counseling entry, dated 12 February 2024, from your Official Military Personnel File (OMPF). You contend that an administrative separation board (ASB), held on 13 March 2025, acquitted you of the underlying charge and, therefore, the counseling entry should be removed.

The Board, however, found you did not demonstrate probable material error, substantive inaccuracy, or injustice warranting removal of the counseling entry. Specifically, the Board found the outcome of the ASB had no impact on the validity of the counseling entry. A counseling entry is an administrative tool, which documents a commander's decision. It is given a presumption of regularity, requiring you to provide substantial evidence that your commander's decision to issue it was unjust or materially in error. The Board found you have not done so. The Board noted, your commander was authorized to make this entry, and the entry contained all parts required for validity. Specifically, it provided written notification concerning

your deficiencies, specific recommendations for corrective action, where to seek assistance, consequences for failure to take corrective action, and it afforded you an opportunity to submit a rebuttal. Both you and your commander signed the entry, and you indicated your desire to submit a rebuttal. Your rebuttal is filed with the counseling entry in your OMPF. Separate from the counseling entry, the ASB held in your case was administrative in nature, with the fundamental purpose of determining your suitability to continue to serve on the basis of your conduct and ability to meet and maintain the required standards of performance. The ASB process is not intended as, nor does it function as, a method to overturn or invalidate other Marine Corps procedures or administrative actions. The fact that an ASB did not find sufficient evidence to warrant your separation, does not impact the validity of your counseling entry. The Board opined, it is neither a material error, nor injustice, for two separate fact-finding bodies to arrive at different conclusions. Simply put, the ASB finding is not binding on your commander's authority to issue a counseling entry. As such, the Board concluded your counseling entry remains valid. 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,

4/2/2026

