



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

Docket No. 6980-25
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 1 April 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 a 6105 counseling entry, dated 2 August 2023, from your Official Military Personnel File (OMPF). You contend that the counseling entry was untimely, as it was issued four months after the underlying incident, and you were given inconsistent guidance including advice not to submit a rebuttal statement.

The Board, however, found you did not demonstrate probable material error, substantive inaccuracy, or injustice warranting removal of the counseling entry. Rather, upon review of your record, the Board found the counseling entry appeared valid, and made in accordance with the Marine Corps Separation and Retirement Manual (MARCORSEPMAN). Specifically, the entry provided written notification of your deficiency, specific recommendations for corrective action, where to seek assistance, consequences for failure to take correction action, and afford the opportunity to submit a rebuttal. Additionally, both you and your CO signed the counseling entry, and you indicated your intent not to submit a rebuttal. Regarding your contention that the entry was untimely, the Board opined, there is no time limit on a CO's decision to issue a counseling entry. Further, the Board was not persuaded by your arguments pertaining to improper advice you received during this incident. The Board noted you provided no evidence, other than your statement, to substantiate your contentions.

Accordingly, given the totality of the circumstances, the Board determined your request does not merit relief.

Although not raised in your DD Form 149, the Board noted, in the statement you provided in support of your application, you additionally raised concern over a mismatch between your attribute marks and Section I and K comments of your fitness report covering the period of 1 April 2023 to 9 July 2023. Regarding this concern, the Board may only considered contentions of error or injustice if all administrative remedies have been exhausted by the Petitioner. Since you have not yet sought review of your fitness report by the Marine Corps Performance Evaluation Review Board (PERB), this Board did not address your concern regarding your fitness report.

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,

4/13/2026

