



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

Docket No. 7148-25
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 8 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 any reference to an alleged assault from your Official Military Personnel File (OMPF). You contend that you served honorably, completed your full enlistment, received an Honorable (HON) characterization of service, and the presence of this negative information in your OMPF has hindered your ability to gain meaningful employment in the civilian sector.

The Board, however, found you did not demonstrate probable material error, substantive inaccuracy, or injustice warranting the relief requested. Simply put, you did not provide sufficient evidence to compel the Board to remove the information. A review of your OMPF determined that one Administrative Remarks (1070) counseling entry, dated 16 February 2021, references a violation of Uniform Code of Military Justice (UCMJ) Article 128, assault. Upon examination, the Board found this entry was made in accordance with the Performance Evaluation System (PES) Manual, in that it identified your deficiency, made specific recommendations for corrective actions, explained the consequences of failure to take action, afforded you an opportunity to provide a response, and was signed by both you and your commanding officer. The Board also noted that you decided not to submit a statement, which was your opportunity to challenge the entry at the time it was made. As such, the Board found

no error. The Board further opined, because your DD Form 214 reflects an HON characterization for completion of service, and no reference to misconduct is made therein, it is difficult to understand how the counseling entry, which would not normally be viewable by private sector employers, would inhibit job prospects or created an injustice in your record. For these reason, the Board was not persuaded by your contentions.

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,

4/21/2026

