



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

Docket No. 8210-25
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 13 May 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 5 January 2024, from your Official Military Personnel File (OMPF) and change your discharge re-entry code to reflect your corrected record. You contend that the counseling entry resulted from a misunderstanding that has since been resolved.

The Board, however, found you did not demonstrate probable material error, substantive inaccuracy, or injustice warranting the relief requested. Rather, the Board found the counseling entry to be valid, noting that it was prepared and filed in accordance with the Marine Corps Performance Evaluation System Manual. It provided written notification concerning your deficiencies, specific recommendations for corrective action, where you could seek assistance, consequences for your failure to take corrective action, and it afforded you an opportunity to submit a rebuttal—and opportunity you did not take. The counseling entry was also signed by both you and your commanding officer (CO). The Board noted, a counseling entry is an administrative tool, meant to document a commander's decision. It is given a presumption of regularity, which requires you, the Petitioner, to provide substantial evidence that the commander's decision was unjust or was materially in error. Commanders are authorized to make counseling entries that are essential to document an event in a Marine's career for which no

other means or method of recording exists. The Board found you did not provide sufficient evidence to overcome the presumption of regularity, necessary to show your CO's decision was unjust or materially in error. The Board additionally noted, whether or not the underlying reason for issuance of the counseling entry was later resolved, as you contend, it does not invalidate an entry previously and properly made. Furthermore, the Board was not convinced by the evidence you provided, namely your statement and the statements of your witnesses, that there was any misunderstanding to justify removal of the counseling entry. For these reasons, the Board concluded your counseling entry is valid as filed and remains appropriate.

Lastly, the Board was not compelled to make any changes to your reentry code. The Board determined the RE-4reentry code you received was appropriate given the record of misconduct discovered in your OMPF, in addition to the counseling entry at issue. The Board opined, even if the counseling entry were removed from your record, the remainder of your misconduct would still justify an unfavorable reentry code. Therefore, the Board determined your reentry code is correct and remains appropriate.

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,

6/2/2026

