



Docket No. 8597-25
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF
XXX XX [REDACTED] USMC

Ref: (a) Title 10 U.S.C. § 1552

Encl: (1) DD Form 149 w/attachments
(2) Administrative Remarks (Page 11) counseling entry, 3 November 2022, and associated rebuttal

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), seeking to have her naval record corrected by removing an Administrative Remarks (Page 11) counseling entry dated 3 November 2022.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error or injustice on 27 May 2026 and pursuant to its regulations, determined the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of Petitioner's naval records, and applicable statutes, regulations, and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under law and regulations applicable to the Department of the Navy.

b. On 3 November 2022, Petitioner was issued an Administrative Remarks (Page 11) counseling entry due to unsatisfactory performance. The counseling entry explains that at 0930 on 29 July 2022, Petitioner left her workspace and accompanied a Marine Corps Staff Noncommissioned Officer (SNCO) to purchase a significant amount of alcohol. That same Marine SNCO “later consumed the alcohol to the point of intoxication before operating his vehicle hours later, endangering himself and the lives of Marines, Sailors, and dependents assigned to commands and residing aboard the installation.” The entry further stated “[i]t is a reasonable expectation that [Petitioner], demonstrating compassion, initiative, and good judgment could have intervened, ensuring [her] fellow Marine’s safety and support while also preventing the opportunity for a crisis to occur.” Additionally, the counseling entry stated that on 18 August 2022, Petitioner was identified in video evidence as dancing with a corporal and lance corporal, Marines under her charge, in a nightclub. The entry also noted the Command

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]
XXX XX [REDACTED] USMC

Investigation (CI) “cited numerous instances of unprofessional behavior” but provided no specific incidents or factual comments. See enclosure (2).

c. Petitioner contends the counseling entry was issued in error, constitutes an injustice, lacks evidentiary support, and is inconsistent with both regulatory and ethical standards. Specifically, she contends the following:

(1) The entry lacks intent and insufficient evidence. The 6105 does not document a specific violation attributable to Petitioner nor does it identify any formal corrective action plan aside from generalities. Further, no actual misconduct or performance deficiency, on her part, is articulated.

(2) Petitioner was denied due process because the command withheld the CI from her both during the counseling and after the fact. Further, without access to the CI, Petitioner contends she was unable to review the alleged findings or provide a detailed rebuttal based on facts. This failure to provide access constitutes a denial of due process, undermining the legitimacy of the 6105 and failing to meet the standards required of a 6105 such as specific corrective actions and rehabilitation efforts.

(3) The counseling entries consists of unsubstantiated accusations of unprofessional conduct. The claim Petitioner was “dancing with a Corporal and Lance Corporal, Marines under [her] charge, in a nightclub” is factually inaccurate. The event took place in a restaurant with a casual dancing area – not a night club. The setting was off-duty, off-base, and open to the public. There was no inappropriate contact, romantic involvement, favoritism, or fraternization. Further, no Marine Corps regulation prohibits social dancing between ranks in such a setting unless it compromises good order, discipline, or morale – criteria which were not met.

(4) The entry is an overgeneralization of “unprofessional behavior.” It alleges “numerous instances of unprofessional behavior” without offering specific examples or regulatory citations. This vague language violates MCO 1900.16 which requires adverse entries to clearly articulate the alleged misconduct. In this entry, there is no substantiated pattern of misconduct, only two isolated and mischaracterized off-duty events.

(5) The fitness reports submitted with observance both before and after the alleged incidents show consistent performance and leadership with no reference to misconduct or deficiencies. There is no indication in Petitioner’s Master Brief Sheet of any adverse notations tied to the events referenced in the 6105. This illustrates the 6105 was not reflective of Petitioner’s overall conduct or professional capability and was inconsistent with how leadership evaluated her performance formally.

(6) The 6105 violates several ethical principles and leadership obligations established by Marine Corps and Department of Defense regulations which further supports removal.

(7) The entry fails to include a specific listing of deficiencies, a distinct corrective action apart from generic advice to “seek assistance,” and a reasoned connection to the definition of “unsatisfactory performance.” Additionally, it misapplies the concept of accountability by attributing the actions of a peer SNCO, who became intoxicated and drove hours later, to

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]
XXX XX [REDACTED] USMC

Petitioner's presence during an earlier legal alcohol purchase. This leap in logic causes gross speculation of the evidence and is unsupported by UCMJ standards, the JAGMAN, and leadership doctrine.

See enclosure (1).

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting relief.

Although it found no error in the Page 11 counseling entry, the Board determined the entry was unjust and, in the interest of justice, should be removed from Petitioner's official military personnel file. Specifically, the Board determined it was unjust for the Commanding Officer to counsel Petitioner due to the behavior and judgment of another SNCO and to implicate Petitioner in that SNCO's alcohol misconduct. Further, the Board determined the Page 11 unjustly counseled Petitioner on the "numerous instances of unprofessional behavior" without providing any specific instances or allowing Petitioner access to the CI. The Board concluded there is no substantiated pattern of unsatisfactory performance, only two isolated and mischaracterized off-duty events.

RECOMMENDATION:

In view of the above, the Board recommends the following corrective action.

Petitioner's naval record be corrected by removing the Page 11 counseling entry at enclosure (2) and the associated rebuttal.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above-entitled matter.
5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulation, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of Reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

6/5/2026

