



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE ROAD, SUITE 1001  
ARLINGTON, VA 22204-2490

REC  
Docket No: 07425-12  
29 November 2012

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

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]

Ref: (a) 10 U.S.C. 1552

Encl: (1) DD Form 149 with attachments  
(2) Case summary  
(3) HQMC MFC-2 memo dtd 4 Sep 12  
(4) HQMC MIQ memo dtd 16 Nov 12  
(5) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, an enlisted member of the Marine Corps, filed enclosure (1) with this Board requesting, in effect, that her record be corrected by removing three Administrative Remarks (NAMVC 118) page 11 entries she received on 28 February, 17 May, and 14 June 2007.

2. The Board, consisting of Mr. Lacrois, Mr. Rothlein, and Mr. Vogt, reviewed Petitioner's allegations of error and injustice on 28 November 2012, and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, 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 did not exhaust all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Enclosure (1) was not filed in a timely manner.

c. Petitioner entered the Marine Corps on 7 February 2005. She served honorably until 28 February 2007, when she received counseling regarding an allegation of spousal abuse. However, due to a communication break-down within her chain of command, she was a victim in the incident. Per enclosures (3) and (4), Headquarters Marine Corps notes that she used every means available to inform her chain of command of the situation, and therefore they recommend that the page 11's be removed from her Service Record Book.

CONCLUSION:

Upon review and consideration of all the evidence of record, and especially in light of enclosures (3) and (4), the Board concludes that Petitioner's request warrants favorable action, by removing the Administrative Remarks page 11 entries dated 28 February, 17 May, and 14 June 2007 from her record.

In view of the foregoing, the Board finds the existence of an error and injustice warranting the following corrective action.

RECOMMENDATION:

a. That Petitioner's naval record be corrected by removing her Administrative Remarks page 11 entries dated 28 February, 17 May, and 14 June 2012 from her record.

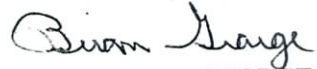
b. That any material or entries inconsistent with or relating to the Board's recommendation be corrected, removed, or completely expunged from Petitioner's record and that no such entries or material be added to the record in the future.

c. That any material directed to be removed from Petitioner's naval record be returned to the Board, together with a copy of this Report of Proceedings, for retention in a confidential file maintained for such purpose, with no cross reference being made a part of Petitioner's naval record.


4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c) 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.

ROBERT D. ZSALMAN  
Recorder

  
BRIAN J. GEORGE  
Acting Recorder

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.

  
BRIAN J. GEORGE  
By direction