



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

JSR
Docket No: 9094-08
20 November 2008

[REDACTED]

Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552.

You requested that the fitness report for 1 August 1999 to 9 April 2000 be modified by removing, from section I (reporting senior's "Directed and Additional Comments"), "[You] had little opportunity to lead Marines during this period."; modifying the fitness report for 20 July 2002 to 1 June 2003 by deleting, from section K.4 (reviewing officer's comments), "Must strive to achieve aviation designations in the mission commander arena."; and modifying the fitness report for 2 June to 26 September 2003 by deleting, from section I, "with minimal guidance/supervision," so the sentence at the end of which this language appears will read as follows: "Capable of meeting new situations head-on in a resourceful manner."

It is noted that the Commandant of the Marine Corps (CMC) has directed the modifications you requested, except that concerning the report for 2 June to 26 September 2003.

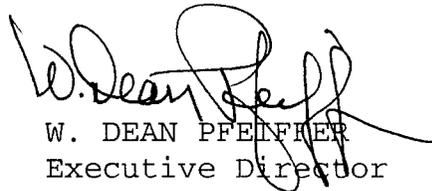
A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 20 November 2008. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes,

regulations and policies. In addition, the Board considered the report of the Headquarters Marine Corps Performance Evaluation Review Board (PERB), dated 18 September 2008, a copy of which is attached.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the report of the PERB. Accordingly, your application for relief beyond that effected by CMC has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously 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,



W. DEAN PFEIFFER
Executive Director

Enclosure