



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

BJG  
Docket No: 12302-08  
3 April 2009

[REDACTED]

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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.

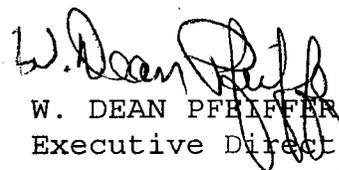
You requested completely removing the fitness reports for 25 July 2003 to 4 January 2004 (extended from 31 December 2003) and 24 April to 16 July 2007. It is noted that the Commandant of the Marine Corps (CMC) has directed modifying the contested report ending 4 January 2004 by removing, from section I (reporting senior's "Directed and Additional Comments"), "MRO [Marine reported on] continues to seek self-improvement and is developing into a well rounded administrator"; removing, from section K.4 (reviewing officer (RO)'s comments), "MRO continues to develop as an administrator" and adding, to section K.4, "RO is authorized to review reports due to his assignment as Director of IPAC [Installation Personnel Administration Center]." CMC has further directed modifying the contested report ending 16 July 2007 by changing the mark in section K.2 (RO's "Evaluation") from "Concur" to "Do Not Concur" and adding, to section K.4, "RO authorized to review reports due to his assignment as Director of CSC [Command and Staff College]."

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 2 April 2009. 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 17 December 2008, and the memorandum for the record dated 31 March 2009, copies of which are 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. Specifically regarding the report ending 4 January 2004, the Board was unable to find that your mission, duties, tasks and standards were never communicated to you before the report was prepared. In view of the above, your application for relief beyond or other than 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

Enclosures