



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

HD  
Docket No: NR11369-14  
21 November 2014

[REDACTED]

Dear First Sergeant [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 removing the service record page 11 ("Administrative Remarks (1070)") entry dated 30 October 2013 and your rebuttal dated 1 November 2013, as well as the fitness report for 1 July to 25 October 2013. The page 11 entry was not considered, as the attached e-mail dated 28 October 2014 from Headquarters Marine Corps (HQMC) shows that neither the entry nor your rebuttal appears in your Official Military Personnel File.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 20 November 2014. 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 advisory opinions from HQMC dated 26 August and 18 September 2014, and the report of the HQMC Performance Evaluation Review Board (PERB), dated 30 September 2014, copies of which are attached. The Board also considered your counsel's letters dated 15 October and 14 November 2014.

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 advisory opinions and the report of the PERB in concluding that the contested fitness report should stand. Accordingly, your application 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 evidence within one year from the date of the Board's decision. New evidence is evidence not previously considered by the Board prior to making its decision in this case. 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,



ROBERT J. O'NEILL  
Executive Director

Enclosure

Copy to:  
