



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

JSR

Docket No: NR2726-14

24 April 2014

*JSR*

[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 completely removing the fitness report for 12 May to 22 July 2008.

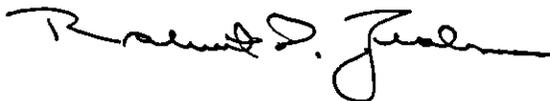
It is noted that the Commandant of the Marine Corps (CMC) has directed modifying the contested report by removing, from Addendum Page 5 of 5 (third officer sighter's comments), "I am suspect [sic] that SNM [Subject named Marine] has learned from the series of events in this report that led to his removal as well as I sense his continued service is uncertain couple [sic] with his promotion to the next grade may not be in the best interests of our Marine Corps."

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 24 April 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 report of the Headquarters Marine Corps Performance Evaluation Review Board (PERB), dated 24 February 2014, a copy of which is attached. The Board also considered the letter on your behalf from [REDACTED] dated 6 June 2013.

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. The Board found the letter from [REDACTED] while complimentary to you, did not refute the grounds for your relief reflected in the contested fitness report. In view of the above, 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,



ROBERT D. ZSALMAN  
Acting Executive Director

Enclosure