



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

JSR
Docket No: NR4255-14
29 May 2014

JSR

[REDACTED]

Dear Master 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 1 October to 20 December 2011.

It is noted that the Commandant of the Marine Corps (CMC) has directed modifying the contested report by removing the mark from section A, item 6.b ("Derogatory Material"); removing, from section I (reporting senior's "Directed and Additional Comments"), "Sect[ion] A, Item 5A: This fitness report meets the criteria for derogatory material in Sect A, Item 6B and is rendered adverse IAW [in accordance with] MCO [Marine Corps Order] P1610.7F. Sect A, Item 6B: MRO [Marine reported on] received 6105 counseling for demonstrating poor judgment, lack of leadership, and failing to set an example as a SNCO [staff noncommissioned officer]. This matter is acknowledged by MRO as evidenced by a signed 6105 from the Bn [Battalion] CO [Commanding Officer]."; and removing, from Addendum Page 2 of 4, "[Your] 6105 was warranted, rendering this report adverse in accordance with MCO 1610.7F Performance Evaluation System."

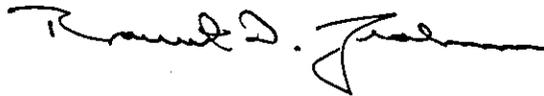
A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 29 May 2014. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. 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 (HQMC) Performance Evaluation Review Board (PERB), dated 31 March 2014 as amended by the HQMC e-mail dated 10 April 2014 with attachments, 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. 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,



ROBERT D. ZSALMAN
Acting Executive Director

Enclosure