



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

JSR

JSR
Docket No: NR5184-14
19 June 2014

[REDACTED]

Dear 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 reports for 1 July to 12 December 2008, 13 December 2008 to 19 May 2009, 15 December 2011 to 31 March 2012 and 1 June 2012 to 31 March 2013.

It is noted that the Commandant of the Marine Corps (CMC) has directed modifying the contested report for 1 July to 12 December 2008 by changing the date in section A, item 3.b (beginning date) from "20080701" to "20081002" (and filing in your record an administrative filler for 1 July to 1 October 2008) and modifying the report for 13 December 2008 to 19 May 2009 by removing, from section I (reporting senior's "Directed and Additional Comments"), all but the first sentence and in section K (reviewing officer's marks and comments) changing the entry in section K.1 ("Observation") from "Sufficient" to "Insufficient" and removing the entries in sections K.2 ("Evaluation Concur/Do Not Concur"), K.3 ("Comparative Assessment") and K.4 (comments).

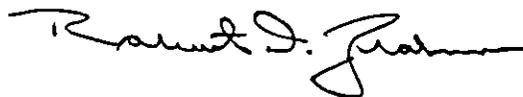
A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 19 June 2014. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. 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 17 April 2014, as amended by the HQMC e-mail dated 19 May 2014 with attachment, 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 as amended. 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,

A handwritten signature in cursive script, appearing to read "Robert D. Zs Salman".

ROBERT D. ZSALMAN
Acting Executive Director

Enclosure