



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

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Docket No: 7529-20
Ref: Signature Date

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Dear █

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 3 August 2021. The names and votes of the members of the panel will be furnished upon request. 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, relevant portions of your naval record, and applicable statutes, regulations, and policies. The Board also considered the 5 October 2020 decision by the Marine Corps Performance Evaluation Review Board (PERB) (the PERB Decision), and the 26 August 2020 Advisory Opinion provided to PERB by the Manpower Management Division Records & Performance Branch (MMRP-30) (the AO), which was previously provided to you. The PERB Decision and the AO were provided to you on 5 October 2020, and you were given 30 days in which to submit a response.

The Board carefully considered your request to modify the fitness report covering the period 1 July 2018 to 1 May 2019, by replacing the reporting senior (RS) attribute markings with the markings of a subsequent report from same RS. In the alternative, you asked that the contested report be changed to not observed or removed. You contend that the report's Section I comments support an increase in performance and above average markings which do not match the lower marks given. As evidence, you included a letter from your commanding officer (CO) to the Fiscal Year 2020 Sergeant Major through Master Sergeant Selection Board.

The Board concurred with the AO that there is no scale to match markings with comments and that the report complied with the Performance Evaluation System manual. Consequently, the Board determined that the fitness report is administratively correct and shall remain in your official military personnel file as written.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or 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,

8/10/2021

[Redacted]	[Redacted]
Executive Director Signed by: [Redacted]	