



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

█  
Docket No: 4641-21  
Ref: Signature Date

█  
█  
█  
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 1 February 2022. 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 15 July 2021 decision by the Marine Corps Performance Evaluation Review Board (PERB) (the PERB Decision) and the 7 June 2021 Advisory Opinion provided to PERB by the Manpower Management Division Records & Performance Branch (MMRP-30) (the AO). The PERB Decision and the AO were provided to you on 15 July 2021, 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 June 2016 to 28 May 2017 by making Section K, the Reviewing Officer (RO) comments non-observed. You contend that your RO did not observe your performance. You further argue the RO comparative assessment was biased and is incongruent with the reporting senior (RS) assessment.

The Board concurred with the AO that there is insufficient evidence to suggest RO bias or that your performance and conduct warranted a higher assessment. Consequently, the Board determined that the fitness report contains no material error or injustice 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,

2/9/2022



Executive Director

Signed by: 