



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

██████████  
Docket No. 5708-21  
Ref: Signature Date

██  
██  
██

Dear Petitioner:

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 27 January 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, as well as the 27 August 2021 decision by the Marine Corps Performance Evaluation Review Board (PERB), and the 28 June 2021 Advisory Opinion (AO) provided to the PERB by the Manpower Management Division Records and Performance Branch (MMRP-30). The PERB decision and the AO were provided to you on 28 June 2021. Although you were afforded an opportunity to submit a rebuttal, you did not do so.

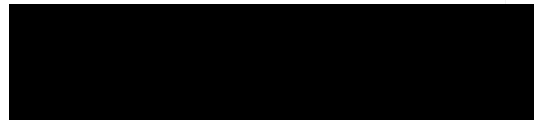
The Board carefully considered your request to remove your 1 October 2018 to 24 July 2019 Fitness Report (Fitrep). The Board considered your contentions that you were an inactive duty reservist performing drill once per month, worked full-time for the County of ██████████, and attended graduate school; however, the Fitrep attribute markings in Sections "D-G" are mediocre compared to the Section I comments which notes significant accomplishments. You further contend the Section K "Comparative Assessment" and comments are also not commensurate with your performance, the personality conflict between you and the reporting officials are manifested within the Fitrep, and the Fitrep is mediocre, relatively adverse, and is inconsistent with the history of your career performance. You assert you did everything that was expected of you; however, your former Reporting Senior (RS) and Reviewing Officer (RO) did not like you. You further assert that, despite no cases of misconduct, adverse counseling, or admonishment for low performance, your former RS and RO sought to punish you by processing the Fitrep to blemish your reputation and diminish your career potential.

The Board, however, substantially concurred with the AO. Specifically, that the Fitrep was in accordance with the Marine Corps Performance Evaluation System Manual, and was not deemed adverse. The Board noted that you did not provide any documentation or reference, other than your subjective interpretation of the report, to support your contentions that the reporting officials used the report to ruin your reputation and hinder your potential in the Marine Corps. In making their findings, the Board considered that the Fitrep accurately documents your stated accomplishments during the reporting period. The Board thus concluded that your request is lacking in substantial evidence of error or injustice warranting removal of the fitness report from your record.

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,

2/14/2022

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Executive Director

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