



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

█  
Docket No: 6588-21  
Ref: Signature Date

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█  
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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 8 March 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 27 September 2021 decision by the Marine Corps Performance Evaluation Review Board (PERB) (the PERB Decision) and the 30 July 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 27 September 2021, and you were given 30 days in which to submit a response.

At Advanced School Class 1-21, you were accused of plagiarism, submitting an assignment that was not your own work. You underwent a Student Performance Evaluation Board (SPEB) and were dismissed from the Staff Non Commissioned Officers Academy for violating the Marine Corps University Academic Integrity Policy. You subsequently received an adverse fitness report covering the period 5 October 2020 to 3 November 2020. The Board carefully considered your request to remove the adverse fitness report; you contend that the report is unjust as you wrote your assignment on the same laptop as another Marine and you accidentally submitted the other Marine's work as your own. You contend that the SPEB did not grant you the opportunity to present evidence on your behalf.

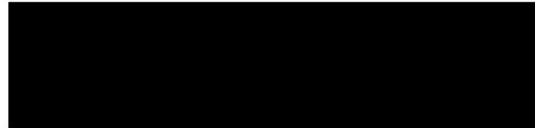
The Board noted that at the SPEB you were afforded the opportunity to submit written evidence; however, you did not submit any written statements or the assignment that you reportedly wrote as evidence. Moreover, you also did not submit your assignment as part of this petition. The

Board further noted that the paper you submitted was the exact paper, verbatim, that another Marine had turned in earlier as a rough draft, and that the name, EDIPI, and signature had been changed to reflect your name and information. The Board concurred with the AO and the SPEB that your contention that the submission was a mistake is not credible. Consequently, the Board found that the evidence does not show any material error or injustice and determined that the fitness report 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,

3/21/2022

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Executive Director

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