

the preponderance of the evidence proved the allegations of substandard performance of duties, failure to demonstrate acceptable qualities of leadership required of an officer in your grade, misconduct, moral or professional dereliction, and commission of a military or civilian offense. The BOI also found that none of the reasons noted warranted your separation from naval service and recommended that your case be closed. The Board also noted that during your BOI your reporting senior (RS) opined, under oath that hypothetically, if he was a board member, he would likely not vote to recommend retention. The Board determined that your RS's statement was not sufficient to support your contention of bias.

Concerning your contentions that your alcohol-related incident was considered in the marking and comments of your fitness report and that your fitness report contained velvet daggers, the Board determined that your attribute marks and Section I comments were favorable, contained no mention of your misconduct, and the comments by your reporting officials did not contain velvet daggers or any negative statements. In making these findings, the Board also considered your response to the AO in which you argued that MMRP-13 fabricated numerous double standards not approved by the Marine Corps Performance Evaluation System Manual. The Board also determined that your evidence was insufficient to warrant the removal or modification of your fitness report.

Concerning your request to mark your fitness report commendatory, the Board determined that your request is administrative in nature, thus you must exhaust your administrative remedies by submitting your request and commendatory material to Headquarters, Marine Corps (MMRP-20) for correction to your record. Accordingly, the Board concluded that there is no probable material error, substantive inaccuracy, or injustice warranting corrective action.

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,

2/24/2022

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Executive Director
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