



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

█  
Docket No: 17-22  
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.

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

A three-member panel of the Board, sitting in executive session, considered your application on 19 April 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 13 December 2021 decision by the Marine Corps Performance Evaluation Review Board (PERB) (the PERB Decision), and the 18 October 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 13 December 2021, and you were given 30 days in which to submit a response.

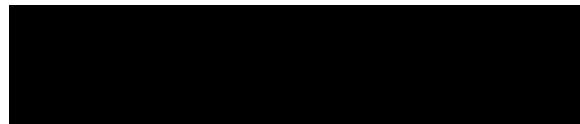
The Board carefully considered your request to remove an Administrative Remarks page 11 entry you received on 24 October 2019 and an adverse fitness report covering the period 22 May 2019 to 24 October 2019. You received the page 11 for lack of professionalism and making false official statements regarding your operational history and football experience. You were relieved for cause of your duties as an Assistant Marine Officer Instructor (AMOI). You received the adverse fitness report documenting the page 11 and relief for cause.

You contend that the report and page 11 are erroneous and unjust as you did not make false statements regarding your operational history that your predecessors in the billet did not have any football experience, and football experience was not a prerequisite for the billet. The Board noted that a command preliminary inquiry supported the allegations of false official statements and lack of professionalism. The Board further noted that in your rebuttal to the page 11 and your fitness report statement you took responsibility for your actions and stated remorse for your lack of personal and professional integrity. The Board concurred with the AO that the command properly provided the factual basis for the performance-related relief. The Board found that you presented insufficient evidence of material error or injustice warranting corrective action. Consequently, the Board determined that the fitness report and page 11 are 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,

5/20/2022

A large black rectangular redaction box covering the signature area.

Executive Director

A black rectangular redaction box covering the name of the Executive Director.