



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

[REDACTED]  
Docket No: 127-22  
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]  
[REDACTED] USMCR

Ref: (a) Title 10 U.S.C. § 1552  
(b) MCO 1400.32D w/CH 1-2  
(c) MCO 1610.7F

Encl: (1) DD Form 149 w/attachments  
(2) NAVMC 118(11) Administrative Remarks of 20 Jul 20  
(3) NAVMC 118(11) Administrative Remarks of 5 Oct 20  
(4) [REDACTED] ltr 1600 undated  
(5) NAVMC 118(11) Administrative Remarks of 7 Apr 21  
(6) NAVMC 11296 of 22 Jun 21  
(7) CO, [REDACTED] Command ltr 1000 CO of 14 Sep 21  
(8) CMC ltr 1610 MMRP-13/PERB of 15 Feb 22

1. Pursuant to the provisions of the reference, Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that Petitioner's naval record be corrected by removing enclosures (2) through (5).

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 26 April 2022 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of Petitioner's naval records, and applicable statutes, regulations, and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. On 20 July 2020, Petitioner was issued a page 11 entry counseling her for exceeding Marine Corps height and weight standards. See enclosure (2).

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c. On 5 October 2020, Petitioner was issued a page 11 entry counseling her for failing to meet the minimum physical fitness standards of the Marine Corps Combat Fitness Test (CFT). Petitioner acknowledged the page 11 entry and elected to submit a statement. In her statement, Petitioner noted that the adverse effects of newly prescribed medication affected her performance. Petitioner also noted that her chain of command was aware of the side effects of the medication and thought that she was participating in an inventory section physical training session. See enclosures (3) and (4).

d. On 7 April 2021, Petitioner was notified that she is not recommended for promotion to Staff Sergeant (SSgt/E-6) for three months for failing the semi-annual CFT. Petitioner acknowledged the page 11 entry and elected not to submit a statement. See enclosure (5).

e. Petitioner submitted a Request Mast petition for an audience with the Commanding General, [REDACTED] (CG, [REDACTED]). The CG reviewed Petitioner's petition and considered her request to review and correct issues related to her CFT. The CG found an injustice in the unit's processing of the CFT, determined that Petitioner's CFT score was invalid and directed her command to remove the failed CFT score from her record. In addition, the CG directed the removal of all associated derogatory counselings and evaluations from her record. See enclosure (6).

f. On 14 September 2021, the Commanding Officer, [REDACTED] submitted correspondence to the Marine Corps Performance Evaluation Review Board (PERB) endorsing Petitioner's request to remove fitness reports for the reporting periods 13 February 2020 to 30 September 2020 and 1 October 2020 to 6 May 2021. On 15 February 2022, the PERB approved a correction to Petitioner's record by removing the 13 February 2020 to 30 September 2020 fitness report from Petitioner's record. See enclosures (7) and (8).

g. Petitioner contends that the CG, [REDACTED] directed the removal of her erroneous CFT score. Petitioner furnished evidence that the PERB approved the removal of her adverse fitness report for the reporting period 13 February 2020 to 30 September 2020.

## CONCLUSION

Upon review and consideration of all the evidence of record, the Board found the existence of an injustice warranting partial corrective action.

The Board noted that enclosure (2) properly documented Petitioner's failure to comply with Marine Corps height and weight standards. Since this counseling was unrelated to the contested CFT score that was determined to be unjust, the Board determined that it is valid and should remain in Petitioner's record.

However, the Board also determined that Petitioner has sufficiently demonstrated that enclosure (3) is unjust and should be removed based on the CG, [REDACTED] Request Mast decision and PERB decision in enclosure (6). Based on this finding, the Board also concluded Petitioner's rebuttal statement contained in enclosure (4) should be removed.

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The Board also noted that Petitioner was issued a page 11 entry not recommending her for promotion to SSgt. The Board determined that enclosure (5) is in error according to reference (b) since page 11 entries are issued to Marines in the grades E-4 and below that are not recommended for promotion. Since Petitioner was an E-5 at the time, the command was not authorized to issue her enclosure (5).

#### RECOMMENDATION

In view of the above, the Board directs the following corrective action.

Petitioner's naval record be corrected by removing enclosures (3), (4) and (5).

No other changes to Petitioner's record.

Any material or entries inconsistent with or relating to the Board's recommendation be corrected, removed, or completely expunged from Petitioner's record, and that no such entries or material be added to the record in the future. This includes, but is not limited to, all information systems or database entries that reference or discuss the expunged material.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above-entitled matter.

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)), and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

5/16/2022

[REDACTED]  
Executive Director  
[REDACTED]