



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

██████████  
Docket No. 1527-22  
Ref: Signature Date

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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 19 May 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 15 February 2022 decision by the Marine Corps Performance Evaluation Review Board (PERB), and the 10 December 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 15 February 2022. Although you were afforded an opportunity to submit a rebuttal, you did not do so.

The Board carefully considered your request to modify your 9 January 2018 to 18 May 2018 Fitness Report (Fitrep) by removing Section I comments and replacing them with comments provided by the Reporting Senior (RS). The Board considered your contention that Section I comments are incorrect, and that the Fitrep Relative Value is a false representation of your performance.

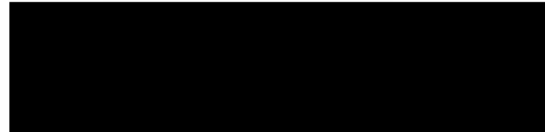
The Board, however, substantially concurred with the AO and the PERB decision that, in accordance with the Performance Evaluation System (PES) Manual, the Fitrep was procedurally correct as written and filed. In this regard, the Board determined that the RS adhered to PES Manual guidance when providing appropriate Section I comments based on his assessment of your performance at the time. Furthermore, the RS's favorable endorsement included with your application, which attempts to alter the narrative of your performance during that reporting period years later, omits any new information that was unknown at report processing. The RS's

endorsement also lacks any justification, other than a limited profile on observing Marines of your rank, as to why the Section I comments were not satisfactory. Moreover, you failed to provide any evidence beyond the RS's concurrence, that your demonstrated performance was not accurately portrayed in the contested Fitrep. The Board thus concluded that your request is lacking in sufficient evidence of error or injustice warranting modification of the contested Fitrep.

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,

6/15/2022

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Deputy Director

Signed by:

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