



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

█  
Docket No. 328-23  
Ref: Signature Date

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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 14 March 2023. 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 26 January 2023 and 10 February 2023 advisory opinions (AOs) furnished by the Manpower Management Promotions Branch (MMPR-1) and your response to the AOs.

The Board carefully considered your request to remove your Fiscal Year (FY) 2023 and FY 2024 failures of selection. The Board considered your claim that the Marine Corps Performance Evaluation Review Board approved a correction to your fitness report for the reporting period 11 June 2020 to 31 May 2021 by increasing the reviewing officer (RO) comparative assessment mark from '6' to '7'. You contend that the corrected fitness report was not available during the FY 2023 Marine Corps Lieutenant Colonel (LtCol/O-5) promotion selection board (PSB) nor the FY 2024 PSB. In response to the AOs, you claim that you did not have enough time to identify and correct the discrepancy before the FY 2023 PSB convened. You argue that being considered in the above zone during the FY 2024 PSB significantly and negatively impacted your promotion chances. As evidence, you provided the FY 2024 promotion board statistics for your military occupational specialty.

The Board, however, substantially concurred with the AOs. In this regard, the Board noted that your petition to correct your fitness report was not submitted until after the FY 2023 LtCol PSB convened. The Board also noted that your record contained 12 years of observed fitness reports,

including four years of observed fitness reports in grade when you were considered for promotion by the FY 2023 PSB. The Board noted, too, that your record was corrected and updated before the FY 2024 PSB convened, therefore, the corrected fitness report was available for consider by the PSB. The change to your comparative assessment improved your RO cumulative values by one percent from 46.8 percent of all officers marked above you to 45.8 percent. The Board determined that the correction to your RO cumulative value did not constitute a material error and did not materially impact the competitiveness of your record. The Board also determined that your record in its entirety provided an overall substantially accurate, complete, and fair portrayal of your performance throughout your career. The Board thus concluded that there is no probable material error, substantive inaccuracy, or injustice warranting corrective action. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

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,

3/25/2023

[REDACTED]

Executive Director

Signed by: [REDACTED]