



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

█  
Docket No. 518-23  
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 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 3 January 2023 decision by the Marine Corps Performance Evaluation Review Board (PERB), and the 30 September 2022 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 3 January 2023. Although you were afforded an opportunity to submit a rebuttal, you chose not to do so.

The Board carefully considered your request to remove your fitness report for the reporting period 25 June 2021 to 8 December 2021. The Board considered your contentions that you lacked the opportunities to attend appropriate schools and training, and had little time to rectify your military occupational school (MOS) deficiencies. Specifically, when you arrived at your command, you had been removed from your MOS for eight years, you did not receive proper assistance, and leading up the competency review board (CRB) you were instructed to attend upcoming courses to correct your deficiencies. You also contend that if you had been given an opportunity to attend the appropriate schools, you would have possessed the tools and remedial knowledge to properly execute your duties. As evidence, you submitted a statement, a counseling entry, associated rebuttal, and counseling worksheets for consideration.

The Board, however, substantially concurred with the AO and the PERB decision that your fitness report is procedurally correct as written and filed. In this regard, the Board noted that you

were issued a counseling entry for technical incompetence and, as notification, that you were being relieved for cause. You acknowledged the counseling entry and elected to submit a statement. The Board also noted that your fitness report was rendered adverse due to derogatory material and to document your reduction in grade as a result of the CRB proceedings. Based upon the available evidence, the Board determined that your chain of command provided you with sufficient opportunities and counseling to correct your deficiencies. The Board found no evidence of a material error or injustice related to the CRB proceedings and you provided none. The Board thus concluded that there is no probable material error, substantive inaccuracy, or injustice in your case. 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,

4/11/2023

