



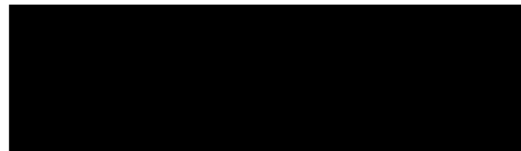
report average improved when you were no longer in a supervisory position over the employee, despite sustained performance and similar comments within the subsequent report by the same RS. As evidence, you submitted a copy of the redacted command investigation, Marine Corp order on fraternization, and commander's policy on fraternization for consideration.

The Board, however, substantially concurred with the AO and PERB's decision that your fitness report is valid and should be retained as filed. In this regard, the Board found no evidence that your role as supervisory over the civilian employee or the purported RS relationship with the employee skewed your markings in an unjust manner and you provided none. The Board noted that the command investigation failed to substantiate any misconduct by your RS. Moreover, the investigation was completed more than years after your fitness report was process. The Board determined that there is insufficient evidence of bias. Accordingly, the Board concluded that there is no probable material error, substantive inaccuracy, or injustice warranting 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,

6/5/2023

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Deputy Director

Signed by: 