



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

[REDACTED]  
Docket No. 3657-16  
JUN 27 2017

[REDACTED]  
Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of 10 USC §1552.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 25 April 2017. 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, your naval record and applicable statutes, regulations and policies. The Board also reviewed the advisory opinion provided by Headquarters Marine Corps memorandum 1610 MMRP-13/PERB dated 19 April 2016 ("AO"), which was sent to you on 19 April 2016 for an opportunity to comment prior to being considered. After the 30 day period for comment expired without a response, the case was presented to the Board.

Regarding your request for a personal appearance, the Board determined that a personal appearance with or without counsel will not materially add to their understanding of the issue(s) involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

You requested to have your fitness report ID #2109454 removed from your record. You assert that it is unjust due to the implication of you being a contributing partner in the physical altercation between you and your boyfriend. You state you were the victim of an assault.


After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. The Board substantially concurred with the comments contained in the AO. You received the fitness report in question due to receiving a formal counseling from the Commander, U.S. Marine Corps Forces, [REDACTED] for

  
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“misconduct resulting from an inappropriate relationship with a married Marine that concluded in a physical altercation with that Marine.” In your rebuttal to your fitness report, you stated “I respectfully object to this report.” Additionally, you did not deny or refute the inappropriate relationship with a married Marine. Accordingly, your application has been denied.

It is regretted that the circumstances of your case are such that favorable action cannot be taken at this time. You are entitled to have the Board reconsider its decision upon submission of new evidence. New evidence is evidence not previously 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,

  
Executive Director