



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

[REDACTED]
Docket No: 6760-16
JUN 27 2017

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW NAVAL RECORD OF [REDACTED] USN, [REDACTED]

Ref: (a) 10 U.S.C. §1552

Encl: (1) DD Form 149
(2) Case summary
(3) PERS-32 Memo of 22 Mar 17

1. Pursuant to the provisions of reference (a), Petitioner, an enlisted member of the Navy, filed enclosure (1) with this Board requesting that her naval record be corrected by removing her fitness report covering the period from 16 March 2015 to 15 March 2016 dated 3 April 2016 from her Official Military Personnel File (OMPF). Enclosures (2) and (3) apply.

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 12 April 2017, and pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. Before applying to this Board Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Enclosure (1) was filed in a timely manner.

c. Petitioner states, in part, the reasoning for blocks 33 - 38, 40, 43, 45 - 47, are incorrect and does not meet the criteria in BUPERSINST 1610.10D.

d. Enclosure (3) states, in part, that the adverse evaluation report was unwarranted as it appears to be less favorable solely because of the member's ongoing medical issue which violates BUPERSINST 1610.10D.

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CONCLUSION:

Upon review and consideration of all the evidence of record, and especially in light of enclosure (3), that Petitioner's requests warrants favorable action. In this regard, the Board concludes that the fitness report covering the period from 16 March 2015 to 15 March 2016 dated 3 April 2016 should be removed from her OMPF.

In view of the above the Board directs the following corrective action.

RECOMMENDATION:

That Petitioner's naval record be corrected by removing the following enlisted fitness report and related material.

<u>Date of report</u>	<u>Reporting senior</u>	<u>Period of report</u>
3APR16	[REDACTED]	From: 16MAR15 TO 15MAR16

That there be inserted in Petitioner's naval record a memorandum in place of the removed report containing appropriate identifying data concerning the report; that such memorandum state that the report has been removed by order of the Secretary of the Navy in accordance with the provisions of federal law and may not be made available to selection boards and other reviewing authorities and that such boards may not conjecture or draw any influences as to the nature of the report.

4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

[REDACTED]
Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulation, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

[REDACTED]
Executive Director