



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

[REDACTED]
Docket No: 5248-17
JAN 10 2018

[REDACTED]
Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, Section 1552.


A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 7 December 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, relevant portions of your naval record, and applicable statutes, regulations, and policies. Additionally, the Board considered the advisory opinion (AO) provided by Headquarters Marine Corps (MMRP-13/PERB) dated 31 May 2017, a copy of which was previously sent to you. See enclosure.

After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice to remove the fitness report covering 1 March 2015 to 10 August 2015. The Board considered your contention that the Reporting Senior (RS) failed to abide by MCO 1610.7 by establishing, formalizing or reviewing your billet description at the outset of the reporting period. The Board also considered your contention that the RS did not conduct formal counseling with you to review your billet description, duties and responsibilities, and expectations within the RS's first 30 days as the Assistant Aircraft Maintenance Officer. Additionally, the Board considered your contention that the RS didn't give you an opportunity to refute the assigned markings and you didn't discover that the report was below average on the RS's profile until after the fitness report was processed in your Official Military Personnel File (OMPF). The Board substantially concurred with the AO. The Board determined counseling can be accomplished in many different ways as each has an individual style for counseling and noted you did not substantiate that the RS did not provide any performance counseling in the spirit and intent of MCO 1610.7. The Board concurred with the AO's comment that, as a master sergeant of Marines, you would have taken the initiative to approach the new RS to determine what was expected of you. Additionally, the Board determined you did not substantiate that the report is anything other than

an accurate and fair assessment of your performance for the reporting period. 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 the submission of new and material 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