



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

Docket No: 5251-17
DEC 28 2017

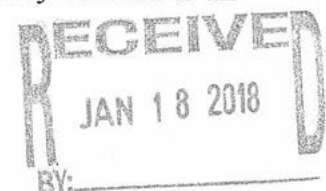
Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the 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 4 October 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. The Board also reviewed the advisory opinion provided by Headquarters Marine Corps (MMRP-13/PERB) Memorandum dated 31 May 2017, which was previously provided to you.

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. The Board carefully weighed all potentially mitigating factors, such as your desire to have removed your fitness report from the period of 1 November 2015 to 30 April 2016. The Board also considered your contentions that the contested fitness report is an unfair assessment of unclear performance standards, the fitness report was used as a disciplinary tool and was in retaliation due to stress that was brought about from your ex-wife harassing the command and the fitness report was a contradiction to your prior assessments by the same Reporting Senior and Reviewing Officer. The Board concluded that the removal of the contested fitness report is not warranted. In this regard, the Board considered the advisory opinion and substantially concurred with the comments contained in the advisory opinion. 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





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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