



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

[REDACTED]  
Docket No: 5590-17  
DEC 27 2017

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

Subj: REVIEW OF NAVAL RECORD OF [REDACTED] USMC,  
XXX XX [REDACTED]

Ref: (a) 10 U.S.C. § 1552

Encl: (1) DD Form 149  
(2) United States Senate ltr of 5 Jun 17

1. Pursuant to the provisions of reference (a), Petitioner, an enlisted member of the Marine Corps, filed enclosure (1) with this Board requesting that his naval record be corrected by removing his fitness report covering the period 6 December 2016 to 9 March 2017 from his Official Military Personnel File (OMPF). Enclosures (1) and (2) apply.

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 18 October 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, relevant portions of Petitioner's 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. On 9 March 2017, the Petitioner received nonjudicial punishment (NJP) as a result he was issued an adverse fitness report for the period 6 December 2016 to 9 March 2017. Subsequently, the Commanding General, [REDACTED] Region, directed that the Petitioner's punishment be rescinded and that the contested fitness report be removed from the Petitioner's OMPF. See enclosure (2).

**CONCLUSION:**

Upon review and consideration of all the evidence of record, and in light of enclosure (2), that the Petitioner's requests warrants favorable action. In this regard, the Board concludes that the

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XXX XX [REDACTED]

fitness report covering the period from 6 December 2016 to 9 March 2017 should be removed from the Petitioner's OMPF and replaced with a memorandum of continuity.

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>
23MAR17	[REDACTED]	From: 20161206 to 20170309

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