



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

[REDACTED]
Docket No: 5841-17

DEC 11 2017

[REDACTED]
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 20 September 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) dated 19 June 2017, which was previously provided to you.

The Board carefully considered your desire to modify the fitness report for the reporting period 1 July 2015 to 31 May 2016. The Board considered the Reporting Senior's advocacy letter and your contentions of procedural and third officer sighter injustices, that circumstantial and inconclusive evidence was used to determine adverse performance, and that the Student Performance Evaluation Board was flawed. The Board concluded that the requested modifications to the contested fitness report are not warranted. In this regard, the Board substantially concurred with the comments and recommendation 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

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,

[REDACTED]

Executive Director