



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

[REDACTED]
Docket No: 6154-17

DEC 07 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 13 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 (AO) provided by Headquarters, Marine Corps (MMRP-13/PERB) dated 17 July 2017, which was previously provided to you.

The Board carefully considered your desire to modify the fitness report for the reporting period 8 July 2000 to 18 August 2000 to make it a "Not Observed" report. The Board considered your contention that the Reporting Senior (RS) did not state in Section I of the fitness report that he was invoking an exception to policy in submitting an observed report for a period of 89 days or less, and in effect, is in violation of the Performance Evaluation System Manual by submitting the contested report as an observed report. The Board concluded that modifying the contested fitness report is not warranted. In this regard, the Board substantially concurred with the comments and recommendation contained in the AO. 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

