



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

Docket No: 6598-17

DEC 11 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 27 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) Memorandum dated 27 July 2017, which was previously provided to you.

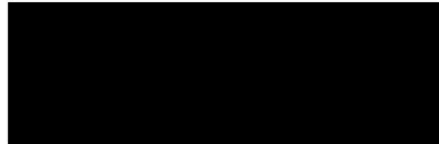
The Board carefully considered your desire to remove the fitness reports for the reporting periods 27 February 2009 to 31 May 2009 and 1 June 2009 to 31 December 2009 from your Official Military Performance File. The Board considered your contention that both fitness reports were based on an erroneous entry in the Marine Corps Total Force System regarding assignment to the Body Composition Program, and that the blemishes in your record are limiting your promotion opportunities. The Board noted that the Headquarters, Marine Corps Performance Evaluation Review Board (PERB) modified both of the contested fitness reports and concluded that the removal of the contested fitness reports, as modified by the PERB is 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

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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