



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

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Docket No. 8024-24
Ref: Signature Date

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Dear █,

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 29 August 2024. 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, as well as the 3 July 2024 decision by the Marine Corps Performance Evaluation Review Board (PERB) and the 9 April 2024 Advisory Opinion (AO) provided to the PERB by the Headquarters Marine Corps Performance Evaluation Section (MMPB-23). Although you were afforded an opportunity to submit a rebuttal, you did not do so.

The Board determined your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined a personal appearance was not necessary and considered your case based on the evidence of record.

The Board carefully considered your request to modify¹ or remove the Transfer (TR) fitness report for the reporting period 1 October 2020 to 25 February 2021 due to "several significant errors and discrepancies." Specifically, you contend the Reporting Senior (RS) misspelled your name twice and failed to make the corrections after multiple discussions. Further, you contend the letter grading does not align with the RS's comments and performance evaluation. Additionally, you contend there is an imbalance between the RS and Reviewing Officer (RO) comments and grading. Lastly, you contend the corrections are "crucial for reporting accuracy, fairness, professionalism, and credibility" because the report impacts your career and can hinder future opportunities for advancement.

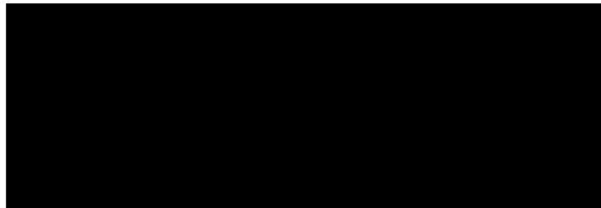
¹ The Board noted you did not specify your requested modification.

The Board, however, determined the TR fitness report is valid as written and filed, in accordance with the applicable Performance Evaluation System (PES) Manual guidance. However, the Board noted your misspelled name and concurred with the AO's remedy to submit a PES Manual, Appendix G request for correction. The Board considered your contentions regarding the RS grading but noted there is no prescribed PES Manual scale to "match" RS comments and attribute markings nor is any such scale feasible or viable². Lastly, the Board noted your contentions there is an "imbalance" between the RS and RO comments and grading and the report is an "inaccurate report on [your] profile and performance" but further determined you failed to specify the markings and comments that were in error or unjust. Based on the available evidence, the Board concluded there is insufficient evidence of an error or injustice warranting your requested relief.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or 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,

9/19/2024



² The Board disagreed with the AO's note that the attribute markings align with the Section I comments.