



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

██████████  
Docket No. 10407-24  
Ref: Signature Date

██████████  
██████████  
████████████████████

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 3 December 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 11 September 2024 decision by the Marine Corps Performance Evaluation Review Board (PERB), and the 24 June 2024 Advisory Opinion (AO) provided to the PERB by the Manpower Management Division Records and Performance Branch (MMPB-23). Although, the PERB decision was provided to you, you did not provide a response.

The Board carefully considered your request to remove your Transfer Fitness Report for the reporting period 1 February 2023 to 1 June 2023. The Board considered your contentions that during this reporting period, there was an insufficient amount of observation time between yourself and the Reporting Senior (RS) and Reviewing Officer (RO) to establish a professional relationship that warrants an observed report. You also contend that the markings are not an accurate representation of your performance. Specifically, you claim that the observation time was reduced by several events (e.g. 12 days of leave, detachment orders, and periods of Temporary Additional Duty by the RS accumulating an additional 39 days of separation between you and the RS). You contend that you did not receive an initial counseling from the RS with a billet description, nor were periodic performance evaluations provided throughout the reporting period. You further claim that there were no face-to-face interactions between yourself and the RO, during the reporting period, as the RO worked in a separate area and had no visibility of your duties or responsibilities as the Battalion Logistics Officer.

The Board, however, substantially concurred with the AO and the PERB decision that the report is valid as written and filed, in accordance with the applicable PES Manual guidance. In this regard, the Board noted the PES Manual defines periods of non-availability as periods of 30 or more consecutive days. Further, the Board noted the PES Manual requires the RS to submit observed reports for all reporting occasions covering 90 days or more. The Board noted that although an initial counseling is encouraged, it is not required before the processing of a fitness report. The Board noted the Marine Reported On and the Reporting Officials are not required to be co-located in order for observation to occur. The Board noted the report average of 3.5 generated a cumulative relative value of 80.00, a likely concern and likely genesis for your request, however, the Board noted a report is not considered unjust solely because the relative value or comparative assessment mark are rated lower than other reports. The Board concluded other than your statement, you provided insufficient evidence to your claims warranting removal of the contested report. Thus, the Board concluded that there is no probable material error, substantive inaccuracy, or injustice warranting corrective action. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit 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,

1/22/2025

