



The Board carefully considered your request to remove the fitness report for the reporting period 1 January 2022 to 24 June 2022. The Board considered your contention that the Reporting Senior (RS) intentionally marked attributes in a manner that ensured the report would be at the bottom of their profile but did not provide comments that would warrant the attributes. You believe the overall report is unjust and the comments do not match the attribute marks. You also contend the Marine Corps Performance Evaluation System (PES) Manual states the RS must ensure comments are not laudatory or gratuitous. The Section I comments state, “. . . shows great growth potential and should go on any SDA.” You claim the comment is uncalled for, the RS knew you already completed a successful Special Duty Assignment (SDA). Alternatively, you opined that the comment is favorable by suggesting you are a highly qualified Marine to serve on an SDA, in which the comment would be perceived as laudatory and give a false representation on the markings and the report. You also claim the RS never gave you an initial counseling to outline expectations or follow on counselings to provide the necessary guidance to

improve performance prior to the end of the reporting period. You further contend that you were not in a platoon sergeant billet during the reporting period; the RS did not inform you that the RS portion was completed, and did not discuss the marking philosophy and comments with you. Additionally, the RS deleted a major accomplishment from the Marine Reported on Worksheet (MROW), which resulted in you being graded poorly on proficiency, and correlates with the reason that the RS did not discuss his markings with you so that a rebuttal could be presented.

The Board, however, substantially concurred with the PERB's decision that you did not meet the burden of proof nor shown by preponderance of evidence a substantive inaccuracy or injustice warranting removal of your fitness report. The Board determined that your fitness report is valid as written and filed in accordance with the applicable PES Manual. In this regard, the Board noted the Section I comments and opined that the comments are positive, but not so laudatory or gratuitous that a Marine would be misled to thinking the fitness report was more favorable than it is. In the same vain, the PES Manual does not provide a matrix to match attribute marks with Section I comments. Your RS's comment regarding the SDA, and how a board will perceive the comment is speculative and does not constitute an error. Concerning your claims regarding a lack of counseling, the Board noted that your RS previously observed your performance during three previous reporting periods and opined that the RS and Marine Report On relationship was well established. The Board also determined that counseling takes many forms, a lack of counseling is not sufficient to warrant removal of an otherwise valid fitness report. The Board further determined that the RS was not required to inform you that his portion was complete, nor was he required to discuss or justify his marking philosophy and comments with you. Moreover, the MROW serves as a summary account to aid the RS, the RS has the latitude to make modifications they deem appropriate. The Board thus concluded 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,

1/24/2025
