

DEPARTMENT OF THE NAVY

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

> Docket No: 11952-24 Ref: Signature Date

Dear I

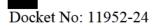
This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found 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 4 March 2025. 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 considered the 1 October 2024 decision by the Marine Corps Performance Evaluation Review Board (PERB) (the PERB Decision) and the 6 August 2024 Advisory Opinion provided to PERB by the Manpower Management Division Records & Performance Branch (MMRP-23) (the AO). The PERB Decision and the AO were provided to you on 1 October 2024, and you were given 30 days in which to submit a response.

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

The Board carefully considered your request to remove the fitness report covering the period 1 October 2021 to 12 March 2022. You contend the reporting senior (RS) failed to communicate, interact or observe you and consequently the RS could not write an accurate assessment. In addition, you argue you improperly did not have a counseling session within 30 days of the reporting relationship to formalize the billet description and set expectations.

The Board concurred with the AO that the Performance Evaluation System Manual does not mandate an initial counseling within 30 days, nor is there a requirement for the RS and the



Marine Reported On to be co-located or to have personally met prior to the issuance of the report. The Board further noted that an alleged lack of counseling is not grounds for relief as the report was not adverse and did not suggest substandard performance. Consequently, the Board determined that the contested report contains no material error or injustice and shall remain in your official military personnel file as written.

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, |
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| 3/24/2025 |
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| Deputy Director |
| Signed by: |
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