



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

██████████  
Docket No. 819-25  
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 11 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 12 November 2024 decision by the Marine Corps Performance Evaluation Review Board (PERB) and the 3 September 2024 Advisory Opinion (AO) provided to PERB by the Manpower Management Division Records & Performance Branch (MMRP-23). The PERB Decision and the AO were provided to you on 12 November 2024, and you were given 30 days in which to submit a response.

The Board carefully considered your request to modify the fitness report covering the period 1 June 2022 to 11 July 2023, specifically, removing the reviewing officer (RO) comments and marking and making the report not observed. You contend the RO did not observe you sufficiently and listed several periods in which you and the RO were not working together due to periods of leave, temporary additional duty (TAD) orders, and school.

The Board concurred with the AO that the Performance Evaluation System (PES) Manual does not mandate minimum observational requirements for the RO as the reporting senior. Thus, even if all periods of non-observation you identified during the report are valid, that does not render the fitness report invalid, and the RO could complete the Comparative Assessment and provide comments to the report. The Board further noted you did not provide an endorsement from the RO to support your request to mark the report as not observed. 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,

3/26/2025

