



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

██████████
Docket No. 937-25
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 18 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, as well as the ██████████ decision furnished by the Marine Corps Performance Evaluation Review Board (PERB), and ██████████ advisory opinion (AO) provided to the PERB by the Manpower Management Division Records and Performance Branch. The AO was provided to you on 15 December 2024, and you were given 30 days in which to submit a response. Although you were afforded an opportunity to submit a rebuttal, you did not do so.

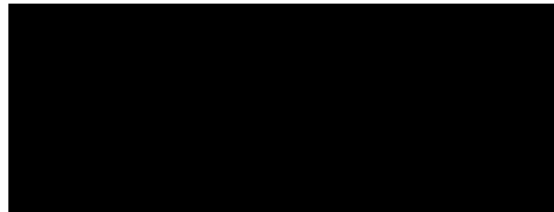
The Board carefully considered your request to modify the fitness report for the reporting period 1 October 2019 to 31 May 2020 by removing Section K. The Board considered your statement regarding Marine Corps Performance Evaluation System (PES) Manual guidance for the Reviewing Officer's (RO's) completion of the comparative assessment and instructions for completing Section K. As is, you contend the comparative assessment rating and comments are unacceptable. The comparative assessment and comments only identify a minor limitation, shortcoming, occasional lapse, or weakness in an otherwise overall positive performance. Therefore, the rating and comment serve no constructive purpose and according to the PES Manual, "[are] not germane to the overall evaluation." You further contend the PES Manual requires an adverse report under the circumstances "CFT RDNT", which is accomplished elsewhere throughout the report.

The Board, however, substantially concurred with the PERB's decision that you did not demonstrate probable material error, substantive inaccuracy, or injustice warranting modification 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 that your fitness report was marked adverse for failing to take a required Combat Fitness Test (CFT) and 'Performance'. The Board also noted that the reporting officials provided justification to support the adverse nature for your fitness report. In your statement,¹ you admitted to not completing the CFT and stated that "[your] mistake is inexcusable." Concerning Section K, the Board noted that the RO concurred with the RS's evaluation of your performance and found that your failure to conduct the CFT was unsatisfactory. The Board determined that the RO's comment is consistent with his overall evaluation of your performance and conduct during the reporting period. The Board also determined that the RO's concurrence with the RS is sufficient and additional comments were not required. 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,

3/28/2025



¹ "I did not complete the CFT, and for that I have no excuse. I had planned to complete it in December. I had already failed in a way by having waited until the last month. Then my personal circumstances dramatically changed. In responding to urgent and important personal matters, I neglected my responsibility to fulfill several basic requirements. Nothing should have gotten in the way of doing what I was supposed to have done. No matter what, I could have taken an hour out of any day throughout the six-month period to get it done. The fact that I did not is a source of profound regret. As Marines, we must always do what needs to be done. As officers, we must always set the right example. This time, I have fallen short. Worse, I have set a terrible example. I'm deeply ashamed for having failed in this regard. My mistake is inexcusable."