



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

██████████
Docket No. 947-25
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 15 December 2024 decision by the Marine Corps Performance Evaluation Review Board (PERB) and the ██████████ 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 15 December 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 modify the fitness report covering the period 1 October 2022 to 30 December 2022 by marking the report as not observed and removing the reporting senior (RS) comments. You contend the RS did not observe you sufficiently as there were 90 days in the reporting period of which 47 days you and the RS were not working together due to temporary additional duty (TAD) orders. To support your contention, you submitted a memorandum from the RS endorsing the request to render the report not observed.

The Board noted the AO determined the report was in accordance with the Performance Evaluation System Manual as the RS is required to submit observed reports for periods of 31 days or longer and although there was a 48-day non-availability period, the RS had 43 days of observation during the reporting period. Consequently, the AO found the report should not be classified as not observed but did recommend that the 48 consecutive days of non-availability should be documented in the Section I comments. On the basis of that recommendation, the PERB concluded that the report did not demonstrate probable material error, substantive inaccuracy, or injustice warranting removal of the fitness report but directed the report to be amended by adding the following in Section I "Directed Comment: Period of MRO Non-Availability: 20221001 to 20221117. During this time, MRO was forward deployed and operated independently to provide direct support to the deployed unit." The Board concurred with the PERB decision and that the contested report, as modified, contains no material error or injustice and shall remain in your official military personnel file as modified.

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

