



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

██████████
Docket No. 952-25
Ref: Signature Date

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Dear Petitioner:

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 29 April 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 14 November 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 remove the fitness report for the reporting period 9 January 2023 to 15 February 2023. The Board considered your contention that neither the Reviewing Officer (RO) nor the Third Officer Sighter (3OS) performed their responsibilities in accordance with the Marine Corps Performance Evaluation System (PES) Manual. Specifically, when the Marine's statement disagrees with the Reporting Senior (RS) as to matters of fact, the RO is required to indicate in section K, the actions taken and findings of fact. You also contend that the RO and 3OS did not address the statements from the medical officer, Human Performance Branch, or eyewitnesses. You claim the adversity of this report is based on the RS's personal interpretation of the Marine Corps Physical Fitness/Combat Fitness Test (PFT/CFT) order and understanding of heat injuries.

The Board noted that you received an adverse fitness report for failing the PFT while a student at the Staff Noncommissioned Officer (SNCO) Academy. In your statement, you claim, in part, that you developed heat exhaustion, and you were driven to medical where a medical officer diagnosed you

with heat exhaustion. You argued that your score should have been reported as a partial PFT pursuant to the PFT/CFT order. You also claim that during the run, at approximately the 2.5-mile point, an instructor saw you, asked if you were all right and you told the instructor you were good and kept running. The Board also noted that the RO explained the SNCO Academy procedures when there is an indication of illness or injury. All Marines are given four chances to declare any illnesses or injuries, and Marines are encouraged to seek medical attention immediately if they are sick or injured. The RO also was unable to substantiate your claims and noted that you did not declare any illness or display any injury until well after you failed the run. The 3OS determined that the PFT/CFT order is clear on matters when the Marine is unable to complete a PFT due to illness, in this case, you completed the event and the entire PFT. The 3OS also noted that statements regarding Academy Staff or students observing your illness during the event could not be corroborated.

The Board substantially concurred with the PERB's decision that you did not demonstrate probable material error, 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 that the RO and 3OS were aware of the information provided by the medical officer and Human Performance Branch. The Board also noted that the RO submitted comments in response to your statement, which the Board deemed sufficient and in compliance with the PES Manual. The Board also determined that the 3OS's response to your statement sufficiently addressed the factual differences. The Board also considered the witness statement you provided but Board found it insufficient and determined that the SNCO Academy Staff and chain of command were best situated to determine whether a partial PFT was warranted or not. Based on your statement, you had an opportunity prior to completion of the run to declare illness and you did not.

Moreover, the Board relies on a presumption of regularity to support the official actions of public officers, in the absence of substantial evidence to the contrary, the Board will presume that they have properly discharged their official duties. The Board found your evidence insufficient to overcome this presumption. 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,

5/8/2025

the 1990s, the number of people in the United States who are 65 years of age or older has increased by 50% (U.S. Census Bureau, 1997). The number of people aged 65 and older is projected to increase to 20% of the total population by the year 2020 (U.S. Census Bureau, 1997). The increase in the number of people aged 65 and older is due to the increase in life expectancy and the decrease in the birth rate. The increase in life expectancy is due to the decrease in the death rate and the increase in the number of people who survive into old age. The decrease in the birth rate is due to the decrease in the number of people who have children and the increase in the number of people who are childless. The increase in the number of people who survive into old age is due to the increase in the number of people who are healthy and able to live into old age. The decrease in the number of people who have children is due to the increase in the number of people who are childless. The increase in the number of people who are childless is due to the increase in the number of people who are single and the decrease in the number of people who are married. The increase in the number of people who are single is due to the increase in the number of people who are divorced and the decrease in the number of people who are married. The decrease in the number of people who are married is due to the increase in the number of people who are widowed and the decrease in the number of people who are married. The increase in the number of people who are widowed is due to the increase in the number of people who are widowed and the decrease in the number of people who are married. The decrease in the number of people who are married is due to the increase in the number of people who are widowed and the decrease in the number of people who are married.