



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

██████████
Docket No. 954-25
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 22 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 14 November 2024 decision furnished by the Marine Corps Performance Evaluation Review Board (PERB), and 28 August 2024 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 chose not to do so.

The Board carefully considered your request to remove the fitness report for the reporting period 1 January 2023¹ to 30 September 2023. The Board considered your contention that there are no adverse markings, derogatory material, and no disciplinary action taken during the reporting period. You also contend that you were within Marine Corps height and weight standards when the fitness report was submitted, and you received commendatory material during the reporting period.

The Board, however, 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 Marine Corps Performance Evaluation System (PES) Manual. In

¹ Your application annotates the start date of the fitness report in question as "202301."

this regard, the Board noted that your fitness report was marked adverse for failing to complete the required semiannual height and weigh-in. In your statement, you acknowledged your understanding that you alone are responsible for completing all required training. The Board also noted that your unit had monthly height/weigh-ins during the reporting period; which you were aware of, failed to attend, and did not take appropriate steps to independently schedule or attend another height and weigh-in. The Board determined that your failure to complete the required height and weigh-in supports the adverse nature of your fitness report. Your claim that you were within Marine Corps height and weight standards when the fitness report was submitted does not invalidate the fitness report or negate the underlying adversity. Moreover, the PES Manual does not require adverse markings, derogatory material, or disciplinary action to render a fitness report adverse. 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.

Concerning your receipt of commendatory material, the addition of commendatory material is administrative in nature; therefore, the Board determined that you have not exhausted your administrative remedies by submitting a request for modification to the Commandant of the Marine Corps (MMPB-23C).

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,

5/7/2025

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Executive Director

Signed by: █