



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

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Docket No. 1001-25
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 14 November 2024 decision furnished by the Marine Corps Performance Evaluation Review Board (PERB), and 23 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 did not do so.

The Board carefully considered your request to remove or modify the fitness report for the reporting period 1 August 2021 to 31 December 2021 by changing the RS portion to not observed. The Board considered your contention that the report seems to portray a downward trend that does not accurately reflect your work ethic and character during the time of observation. After the report, the Reporting Senior (RS) graded other Staff Sergeants with higher markings, causing the report to be below average. You claim that some of your accomplishments submitted on the Marine Reported On Worksheet (MROW) were omitted from the fitness report. You also claim you did not receive an initial counseling from RS prior to the reporting period. You indicate that the RS must understand the significance of the need for their rating philosophy to remain consistent throughout their career, and the RS must take care when making Section I comments to ensure they neither conflict with, nor obscure, the remainder of the evaluation.

The Board, however, substantially concurred with the PERB's decision that you did not demonstrate probable material error, substantive inaccuracy, or injustice warranting removal or modification 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. The Board noted that your fitness report was the first of your grade written on by the RS. The fact that other Marines of the same grade received higher marks than you is not evidence that the RS failed to properly manage his/her profile. Moreover, the information provided in the MROW is included at the RS's discretion, and the Board found no evidence that your performance and conduct warranted higher grades than you received. 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,

5/9/2025

