



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. 1004-25
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 4 June 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 21 October 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 your fitness report for the reporting period 15 July 2023 to 29 February 2024. The Board considered your statement that there were multiple failures at the Weapons Tactics Instructor (WTI) Course. The Board also considered your contention that there was an event outside of the reporting period that the Reporting Senior (RS) used as the sole basis for not allowing you to earn your qualification back after the failure. You claim you received the adverse report for not having your qualification. When you asked your RS why you could not have your qualifications, the RS ambiguously referenced the incident at WTI, which occurred before your RS arrived at the unit. You also claim you were not given a legitimate second chance. At your first meeting, the RS told you he was informed about the event at WTI. When you asked to tell your side of the story, the RS said it was unnecessary.

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 this regard, the Board noted that your fitness report was rendered adverse due to substandard performance, specifically, for failing to meet the technical proficiency and qualifications required of those of lesser rank and experience. The Board also noted that your reporting officials provided the required justification to support performance-based adversity as required by the PES Manual. In support of your reporting officials' comments, the Third Officer Sighter indicated that "[t]his report does not reflect a single incident within the reporting period." Aside from your statement in rebuttal to the fitness report, the Board found no mention of multiple failures at WTI by your reporting officials. Moreover, there is no evidence that your RS or chain of command violated a regulation by suspending your "CDQAR" designation. The Board thus concluded there is no probable material error, substantive inaccuracy, or injustice warranting additional 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,

6/13/2025

