



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

Docket No. 1006-25
Ref: Signature Date

Dear [REDACTED],

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 26 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 your fitness report for the reporting period 16 March 2021 to 10 May 2021. The Board considered your contention that your Reporting Senior (RS) issued a not observed fitness report due to having two months of observation, while the Reviewing Officer (RO) observed the report and issued a low comparative assessment mark. You also contend that you never worked with the RO directly or had much interaction with him, and the report is marked low when compared against other reports.

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 determined that your argument regarding your RO's period of observation lacks merit. The PES Manual provides ROs with the discretion to determine what constitutes

sufficient observation. Moreover, ROs are not limited by periods of minimum observation and there are no PES Manual guidelines defining minimum observation for ROs. The Board also determined that each RO's profile is distinct and based upon their comparison of your performance against all Marines of the same rank whose professional abilities are known to the RO. Therefore, your dissatisfaction with the comparative assessment mark does not constitute a basis for removal of your fitness report. 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,

6/16/2025

