



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

██████████
Docket No. 1019-25
Ref: Signature Date

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Dear ██████████,

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 6 May 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 15 December 2024 decision furnished by the Marine Corps Performance Evaluation Review Board (PERB), and 24 November 2024 advisory opinion (AO) provided to the PERB by the Manpower Management Division Records and Performance Branch. The AO was provided to you on 15 December 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 1 June 2023 to 1 December 2023. The Board considered your contention that you were not given a billet description until after you left the billet. You also contend the fitness report does not capture your performance and focuses on your job as an Expeditionary Warfare School (EWS) instructor, outside your normal military duties. You claim you were relieved of your duties as the Operations Officer on 17 November, but the fitness report was extended until 1 December so the Reporting Senior (RS) would not be late in his submission. You also claim you were publicly berated and undermined. Every time the RS drinks at squadron events, someone or something will upset him, and he will seek you out to scream at you and blame fault. The most recent incident occurred on 27 October 23, you received apologies, but it is still unacceptable.

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 RS observed your performance during the previous reporting period, thus establishing the RS/Marine Reported On relationship. Even if you did not receive a timely billet description, the Board found no evidence that you were unable to perform the scope of your duties as the Operations Officer. Contrary to your statement, the Board found no evidence that you were relieved of your duties, instead the email from the RS indicates that you would take on the responsibilities of the Executive Officer (XO), a leadership and previously assigned billet. Moreover, there is no evidence to suggest the RS delayed the report solely to avoid submitting a late report.

Concerning your claims of being berated by the RS, other than your statement and non-contextual text message, the Board found no evidence to support your claims. Additionally, a purported personality conflict between you and the RS does not constitute grounds for relief. The Board further determined that your Section I comments are well balanced and are not focused solely on your job as an EWS instructor. 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,

5/20/2025

