



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

██████████  
Docket No. 1153-25  
Ref: Signature Date

██████████  
██████████  
██████████  
  
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 17 October 2024 advisory opinion (AO) provided to the PERB by the Manpower Management Division Records and Performance Branch, and your response to the AO.

The Board carefully considered your request to modify or remove the fitness report for the reporting period 12 April 2019 to 31 May 2020 by removing the Section I comment, "Continue to groom for higher level of responsibility" and change the Reviewing Officer's (RO's) comparative assessment mark to show a top third report or mark the RO portion as "insufficient". You also request to remove all impacted fitness reports from the contested report until present. The Board considered your contention that new matters include the Board's decision letter 5184-21 directing the removal of adverse material surrounding allegations by your ex-wife during a highly contested divorce. You again claim the fitness report is unjust, riddled with errors and was written with bias. You also contend the Board's decision letter directs the removal of any material or entries inconsistent with the Board's recommendation, which includes the contested fitness report meets. In response to the AO, you contend the report occurred during a highly contentious divorce, the email from the Reporting Senior does not "jive" with the report, and the report meets the intent of the Board's direction.

The Board upheld the previous PERB and Board decisions that you did not demonstrate probable material error, substantive inaccuracy, or injustice warranting modification or removal of your fitness report. The Board substantially concurs 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 a previous Board granted partial relief by removing adverse material related to allegations of spousal abuse. The Board, however, found that your reliance upon that Board's decision lacks merit. In this regard, your fitness report is not adverse, contains no adverse comments or mention of the adverse material or divorce. Accordingly, your reliance on the statement regarding removal of any material or entries inconsistent with or relating to the Board's recommendation is misguided. The statement does not and was not intended to extend to your contested fitness report. The fact that your fitness report's relative value changed after processing is not an error or injustice. 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,

5/19/2025

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