



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. 1156-25
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 13 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 ██████████ decision furnished by the Marine Corps Performance Evaluation Review Board (PERB), and ██████████ 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 determined that a personal appearance with or without counsel will not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

The Board carefully considered your request to remove the fitness report for the reporting period 1 November 2022 to 24 February 2023. The Board considered your contention that the Reporting Senior (RS) comments violate the Marine Corps Performance Evaluation System (PES) Manual. Specifically, the mention of minor limitations, shortcomings, occasional lapses, or weakness is unacceptable. Such comments serve no constructive purpose, foster a zero-defect mentality, are primarily counseling comments for the Marine Reported On (MRO), and not germane to the overall evaluation. Further, referencing minor traffic violations like a speeding

citation is prohibited. You also contend that your RS's comments fail to adhere to the PES Manual to avoid vague and ambiguous language, which only serves to confuse the reader. You claim a command investigation revealed that some of the counselings were influenced by the O-5 ranking director, which constitutes undue influence and is not allowed.

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 PES Manual. In this regard, the Board noted that your fitness report was rendered adverse due to your relief for cause, overall substandard performance and Section A.7. mark not recommending you for promotion. The Board also determined that your fitness report meets the PES Manual definition for performance-based adversity. The Board further determined that your reporting officials provided sufficient justification to support performance-based adversity in accordance with the PES Manual. Regarding the fore-mentioned command investigation and counseling, the Board noted that the command investigation and counseling occurred after the fitness report's end date, therefore, command investigation is unrelated and has no bearing on the validity of the contested 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,

5/23/2025

