



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

██████████
Docket No. 1160-25
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.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your application on its merits. 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 15 December 2024 decision by the Marine Corps Performance Evaluation Review Board (PERB) and the 26 November 2024 Advisory Opinion (AO) provided to the PERB by the Headquarters Marine Corps Performance Evaluation Section (MMPB-23). Although you were afforded an opportunity to submit a rebuttal, you did not do so.

The Board carefully considered your request to remove the transfer (TR) fitness report for the reporting period 18 January 2020 to 12 March 2020 because the report does not comply with the Performance Evaluation System (PES) Manual. Specifically, you contend the report should have been "not observed" because it only covered 53 calendar days, and, if the date your billet changed companies was considered, the observable days would decrease to 42.

The Board, however, determined the TR fitness report was valid as written and filed, in accordance with the applicable PES Manual guidance. The Board, substantially concurring with the AO, noted the PES Manual states a Reporting Senior (RS) must submit an observed report for periods covering 31 days or longer for an active duty lieutenant who has completed his primary Military Occupational Specialty (MOS) school. At the time of the report, the Board, noting you were an active duty second lieutenant serving in the 0302 MOS who had completed

the Infantry Officer Course on 22 June 2019, concluded the RS properly provided an observed report in compliance with the PES Manual. Based on the available evidence, the Board concluded there is insufficient evidence of an error or injustice warranting your requested 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

