



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

█  
Docket No. 1174-25  
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 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 15 December 2024 decision furnished by the Marine Corps Performance Evaluation Review Board (PERB) and 25 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 chose not to do so.

The Board carefully considered your request to remove the fitness report for the reporting period 11 July 2022 to 12 May 2023. The Board considered your contention that you requested an initial counseling but your Reporting Senior (RS) did not respond and, ultimately, refused to provide a counseling, stating "because I am a Reservist I could never compete with his Active Duty Majors." You also contend that you received almost no tasking, guidance, or feedback from the RS; regardless of how many times you attempted to engage with him. Based on these events and the statement made, you claim the RS clearly did not adhere to the requirements outlined in the Marine Corps Performance Evaluation System (PES) Manual and did not properly or fairly evaluate you during the reporting period. You also claim the RS's statement demonstrates a clear preconceived bias against reservists.

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, other than your statement, the Board found no evidence of bias or evidence that your performance and conduct rated higher marks than you received. The Board also determined that counseling takes many forms; thus, the purported lack of counseling does not invalidate your fitness report. Your fitness report is not adverse and the comments by your reporting officials appear well informed. Your dissatisfaction with the relative value or comparative assessment mark does not constitute grounds 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,

5/30/2025

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