



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. 1349-25
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 case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 13 August 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 16 January 2025 decision furnished by the Marine Corps Performance Evaluation Review Board (PERB) and the 12 November 2024 advisory opinion (AO) provided to the PERB by the Manpower Management Division Records and Performance Branch. Although you were afforded an opportunity to submit a rebuttal, you chose not to do so.

The Board carefully considered your request to modify your fitness report for the reporting period 3 June 2014 to 21 July 2014 by changing it to not observed. The Board considered your contention that the minimum observation time was 90 days and requires Section I comments if the Reporting Senior (RS) decides to use the exception to policy. This reporting period totals 48 days and the RS did not include comments explaining why he chose to use the exception to policy. You also contend the Reviewing Officer (RO) did not address the exception to policy either.

The Board, however, substantially concurred with the PERB's decision that you did not demonstrate probable material error, substantive inaccuracy, or injustice warranting modification 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 applicable PES Manual policy only requires the RS to indicate an exception to policy. The Board determined the Section I comment "While a short reporting period . . . professionalism is hard to miss" satisfies the PES Manual requirement for the RS to indicate an exception to policy. The Board also noted that the RS's comments provide a well-informed description of your performance, professionalism, character, and accomplishments during the reporting period. Furthermore, the exception to policy does not apply to ROs and your RO was not required to address the RS's exception to policy. 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,

8/25/2025

