



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. 1429-25
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.

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 17 January 2025 decision furnished by the Marine Corps Performance Evaluation Review Board (PERB), and the 6 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 determined that a personal appearance with or without counsel would 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 modify your fitness report for the reporting period 23 February 2017 to 31 December 2017 by removing the Section I statement that you are "outside height weight standards." You also request that your Master Brief Sheet (MBS) be corrected by changing your combat fitness test (CFT) to reflect not medically qualified (NMED). Additionally, you request remedial consideration for promotion to E-7. The Board considered your contention that the Section I statement, "MRO is outside of height weight standards" does not align with Section A, Item 8 which indicates that you were within height and weight

standards. You claim that someone slipped a “Fail/RDNT” for the CFT that should have been NMED. You also claim that your promotion package for the Fiscal Year (FY) 2018 E-7 Promotion Selection Board (PSB) was unfairly overlooked because of these discrepancies.

The Board noted that the PERB approved a correction to your record by removing the statement, “Directed Comment, Section A, Item 8f: MRO is outside of height weight standards.” The Board, however, substantially concurred with the PERB’s decision that you did not demonstrate probable material error, substantive inaccuracy, or injustice warranting further modification of your fitness report. The Board determined that the balance of your fitness report is valid as written and filed in accordance with the applicable Marine Corps Performance Evaluation System (PES) Manual. The Board also determined your request for promotion is not supported by sufficient evidence or policy. In this regard, the Board noted that your fitness report was not processed into your official record until after the convening of the FY 2018 PSB; therefore, your fitness report was not available for consideration during the PSB. The Board also determined that your request for the Marine Corps Temporary Early Retirement Authority (TERA) Program on 1 May 2018 disqualified you from being eligible for promotion. In accordance with the Marine Corps Enlisted Promotion Manual and applicable MARADMIN, “[a]ny enlisted Marine who submits a TERA package is not eligible for promotion consideration.” The Board thus concluded there is no probable material error, substantive inaccuracy, or injustice warranting additional corrective action. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

Concerning your request to correct your MBS, the determined that you must exhaust your administrative remedies with the Marine Corps by submitting a request for an administrative change to Headquarters, U.S. Marine Corps (MMPB-23).

You also indicate in your application that you were diagnosed with Post Traumatic Stress Disorder and Traumatic Brain Injury. The Board, however, found no evidence of your diagnoses nor any nexus to your contested fitness report.

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

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Executive Director

Signed by: █