

DEPARTMENT OF THE NAVY

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

> Docket No. 1730-25 Ref: Signature Date

Dear

This is in reference to your applications 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 applications, 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 applications have been denied.

A three-member panel of the Board, sitting in executive session, considered your application on 2 July 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 by the Marine Corps Performance Evaluation Review Board (PERB) and the 5 December 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 determined your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined a personal appearance was not necessary and considered your case based on the evidence of record.

The Board, noting your previous request to remove the contested fitness report, carefully considered your request to modify the fitness report for the reporting period 1 October 2019 to 30 September 2020 by correcting attribute markings in four areas based on the Reporting Senior's (RS) request. Specifically, the RS submitted a letter requesting four markings be modified because he "made an administrative error" on your fitness report and the current marking are "inconsistent with [your] actual performance."

The Board, however, determined the fitness report was valid as written and filed, in accordance with the applicable Performance Evaluation System Manual guidance. The Board, substantially concurring with the AO, noted your petition and the RS's letter lack new facts that were not available during report processing and do not provide any stated justification for the upgrade of

the four attributes. Based on the available evidence, the Board concluded there is insufficient evidence of an error or injustice warranting your requested relief.

In the absence of sufficient new evidence for reconsideration, the decision of the Board is final, and your only recourse would be to seek relief, at no cost to the Board, from a court of appropriate jurisdiction.

