



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

█  
Docket No. 1737-25  
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 application on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 23 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 19 December 2024 decision by the Marine Corps Performance Evaluation Review Board (PERB) and the 24 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 chose not to do so.

The Board carefully considered your request to remove the fitness report for the reporting period 13 August 2020 to 18 November 2020 because the contested report is “an inaccurate assessment of the Marine and leader that [you are] today.” You contend your rebuttal to the report explained that your “decision to disobey guidance was grounded in the values of operating within the absence of orders to meet commander’s intent.” Additionally, you emphasize that you accept full responsibility for the actions that led to the adverse report and request “forgiveness be granted for [your] past adversity” so you can continue your dedicated service to mentoring and inspiring those under your charge. In support of your request to remove the contested report, you submitted two character statements.

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, concurring

with the AO, determined the report is administratively correct, procedurally complete, and valid as written. Thus, the Board concluded there is insufficient evidence of an error or injustice warranting removal of the contested report. 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,

8/5/2025

