

DEPARTMENT OF THE NAVY

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

Docket No.

Ref: Signature Date

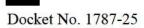
Dear Petitioner:

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.

A three-member panel of the Board, sitting in executive session, considered your application on 4 June 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 24 March 2025 advisory opinion (AO) furnished by Headquarters Marine Corps (MMPB-23). The AO was provided to you on 22 April 2025, and you were given 30 days in which to submit a response. Although you were afforded an opportunity to submit a rebuttal, you did not do so.

The Board carefully considered your request to remove your failure of selection and to grant a Special Selection Board (SSB). The Board considered your contention that the date your fitness report was signed and submitted by your reporting officials was after the start date of the Fiscal Year (FY) 2026 promotion selection board (PSB) and was not reviewed. You claim that the Department of Defense, Office of the Inspector General reviewed and evaluated the late submission of the fitness report and determined that the alleged actions did not warrant an investigation by their office because they did not find sufficient evidence to constitute a credible allegation of misconduct by a Department of the Navy senior official.

The Board substantially concurred with the AO that removal of your failure of selection is not warranted. In this regard, the Board noted that the inclusion of a single fitness report to your record did not substantially impact your selection to Colonel. The Board also noted that the relative value of the fitness report placed you in the bottom third of the Reporting Senior's profile and thus would not have improved the perception of your competitiveness if the fitness



report had been available for the FY 2026 PSB to consider. Based on the fore going, the Board found no basis for an SSB. The Board thus concluded that 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.

