



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

█  
Docket No. 1939-25  
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 3 September 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 11 February 2025 decision furnished by the Marine Corps Performance Evaluation Review Board (PERB) and 10 January 2025 advisory opinion (AO) provided to the PERB by the Manpower Management Division Records and Performance Branch. The AO was provided to you and you were given 30 days in which to submit a response. Although you were afforded an opportunity to submit a rebuttal, you chose not to do so.

The Board carefully considered your request to remove your fitness report for the reporting period 18 July 2015 to 19 February 2016. The Board considered your contention that, although the fitness report adheres to the Marine Corps Performance Evaluation System (PES) Manual, the markings were issued due to a gross misrepresentation of the circumstances and actions during the reporting period. You also contend the markings are inaccurate and greatly affect your career progression, professional reputation, and competitiveness for command. You claim the Reviewing Officer (RO) supports your request and you provided correspondence from your former RO.

The Board, however, substantially concurred with the PERB's decision that you did not demonstrate probable material error, substantive inaccuracy, or injustice warranting removal of

your fitness report. The Board determined that your fitness report is valid as written and filed in accordance with the applicable PES Manual. The Board noted that your fitness report does not contain any adverse markings nor is there any mention of “circumstances and actions” during the reporting period. When your fitness report was written, the RO indicated that he had sufficient observation and concurred with the RS’s evaluation of your performance. The Board considered the correspondence provided by the RO but found it insufficient to warrant a substantive change by removing your fitness report. The Board determined that the RO’s correspondence lacks specificity and new information that was unknown to him when your fitness report was processed in 2016. Moreover, the perceived competitiveness of a report’s relative value or comparative assessment is not a valid basis for removing a fitness report. 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,

9/22/2025

