



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

██████████  
Docket No. 2175-25  
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.

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), 2 August 2024 advisory opinion (AO) provided to the PERB by the Manpower Management Division Records and Performance Branch, and your rebuttal to the AO.

The Board carefully considered your request to remove your fitness report for the reporting period 2 October 2022 to 31 May 2023. The Board considered your contention that you, other majors, and company commanders were informed of a change in the Reporting Senior (RS). This change occurred six months into the reporting period with no justification for the change. You also contend that the Executive Officer (XO) did not observe you from an RS capacity during the first six months and did not conduct an initial counseling, a billet description was not formalized, and counseling did not occur. Further, the XO did not task you and the previously established battle rhythm continued. You claim that the RS did not assess and accurately report the information provided in your Marine Reported On Worksheet (MROW). Additionally, you attended the Operations and Tactics Instructor Course for five weeks during the period of observation under the new RS. It is your assertion that had an official change of RS occurred, then your absence would have rendered the period not observed because that only left 47 days for observation.

In response to the AO, you expounded upon your contentions and argued that the cumulative effect of these administrative oversights, i.e., improper RS designation, inadequate observation time, lack of counseling, material omissions, and inconsistencies between your fitness report and your award citation, demonstrates that your contested report is not a complete, accurate, and fair evaluation of your performance.

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 Marine Corps Performance Evaluation System (PES) Manual. In this regard, according to the PES Manual, the reporting chain is established to evaluate "performance, character, and potential of each MRO by those reporting officials most directly responsible for the daily activities of the MRO. The RS is the first commissioned in the reporting chain senior to the MRO." The PES Manual does not require "formal" notification when a modification to the reporting chain occurs. The Board found sufficient evidence that you and the other affected officers were sufficiently notified of the modification via email. Moreover, the Battalion Commander has the authority to modify the reporting chain to better align with the formal chain of command and operational requirements. The Board also noted that the XO and Battalion Commander were your reporting officials during the previous three-month report period and your RS was the next senior officer in your chain of command. As the XO, the Board determined that he would have had sufficient knowledge and observation of your performance throughout the reporting period.

Concerning the lack of initial counseling and billet description, the Board determined that counseling takes various forms and the purported lack of counseling does not invalidate a fitness report. The Board found no evidence that the lack of counseling or billet description interfered with your ability to perform your duties or to meet the expectations of your RS and RO. The Board noted the Section C billet accomplishments and RS comments favorable and found the comments well informed and aligned with the billet description. Concerning the information provided in your MROW, the Board determined that the RS has the discretion to use the information you provide as he/she deems appropriate. Your RS's decision not to use all the information you provided does not invalidate your 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

