



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE RD
ARLINGTON, VA 22204

[REDACTED]
Docket No. 2881-25
Ref: Signature Date

[REDACTED]

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 19 November 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 13 February 2025 advisory opinion (AO) furnished by the Marine Corps Performance Evaluation Review Board (PERB), the 13 March 2025 decision letter from the PERB, and your rebuttal evidence to the AO.

The Board carefully considered your request to correct the comparative assessment marking assigned to you in section K3 of your fitness report, covering the period of 1 June 2021 to 27 June 2022, from a mark of "5" to a mark of "6," along with your contentions that (1) the mark of "5" was made in error, (2) that the Reviewing Officer (RO) requests that this correction, which he identifies as an inadvertent error, be made, and (3) that the score of "5" is inconsistent with his assessment of your future potential as compared against your peers. In support of your application, you provided a memorandum from the RO, dated 18 December 2024, purporting to document his position. Therein, he acknowledges the impact the requested correction will have, if made, on reports he observed on other Marines in the same grade. As previously stated, you also provided a response to the AO wherein you argued, as additional proof that the mark of "5" was made in error, that comparison of the fitness report in question with your preceding report from the same billet, under the same RO, and same Reporting Senior (RS), shows a comparative assessment marking of "6." You point out that comparison of these two reports shows an increase in your report average from 4.21 to 4.29; which you argue is inconsistent with a decline in your comparative assessment mark from a "6" to a "5." You also provide a memorandum

from your RS wherein he states that your performance did not decline during the second reporting period. However, the Board noted this submission was neither dated nor signed.

After careful review, the Board concurred with the PERB's decision, in its entirety, finding that you did not demonstrate probable material error, substantive inaccuracy, or injustice warranting modification of your fitness report. Rather, the Board found no conclusive evidence to suggest that the reduction in your marking was unwarranted. The Board opined, the simple fact your performance marks increased slightly between two consecutive reports may, indeed, indicate sustained or improved performance on your part, but does not shed light on how you compared with your peers at that moment in time. The Board found it possible, although you had no decline in your performance, that other officers, against whom you were compared, may have excelled beyond you from a comparative perspective.

The Board also considered the timing of your request, noting that you were issued this fitness report in July of 2022, but did not raise an objection to your comparative assessment mark until December of 2024. Although your application was made within the timeline afforded service members to file a request for correction, the Board thought it unusual you did not raise the issue closer in time to receipt of the report. As a related matter, the Board noted the RO is now retired and, although he acknowledged in his letter the potential impact of your requested corrections on other Marines he observed of the same grade, he offered no evidence of your superior performance, or explanation as to how the alleged error occurred or why it was not addressed sooner.

Lastly, the Board agreed that comparative assessment marks, which is the crux of your case, are based on the RO's evaluation of a Marine relative to their peers *at the time the report was written*. The integrity and credibility of the Marine Corps Performance Evaluation System relies on the original assessments made by reporting officials, unaffected by hindsight revisions. The Board concluded that failure to adhere to this approach jeopardizes the fairness and accuracy of the evaluation process on whole. 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 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,

12/8/2025

[REDACTED]