



**DEPARTMENT OF THE NAVY**

BOARD FOR CORRECTION OF NAVAL RECORDS

701 S. COURTHOUSE RD

ARLINGTON, VA 22204

[REDACTED] Docket No. 2884-25

Ref: Signature Date

[REDACTED]

Dear [REDACTED]

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 26 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 18 February 2025 advisory opinion (AO) provided to the PERB by the Manpower Management Performance Branch (MMPB-23), and the 13 March 2025 PERB decision letter. Although you were afforded an opportunity to submit a rebuttal to the AO, you chose not to do so.

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

The Board carefully considered your request to remove from your record your fitness report for the reporting period of 31 August 2021 to 1 May 2022. The Board considered your contentions that you were not fairly evaluated due to a medical condition that arose during your assignment that left you unable to perform the duties of your primary MOS, and forced you to execute orders earlier than expected. You further contend that this unfair evaluation resulted in you being ranked last among your peers for your fitness report and that your Reporting Senior (RS) stated he would have ranked you higher had you been able to remain in the billet.

The Board, however, concurred with the PERB's decision and found that you did not meet the burden of proof, or show by preponderance of evidence, probable material error, substantive inaccuracy, or injustice warranting removal of your fitness report. Rather, the Board found that your fitness report was valid. Regarding your RS, the Board agreed with the AO that your RS was aware of your medical condition and supportive of you seeking treatment but that there is no evidence that your condition significantly (if at all) impacted his evaluation of your performance. Rather, the Board noted that the fitness report covers an eight month observation period of your performance and that no mention is made of your medical condition in either the report or in the email exchange between you and your RS. Regarding your contention that your RS stated he would have ranked you higher had you been able to remain in the billet, the Board was not persuaded. Although it is possible, he might have ranked you higher had you remained in the billet, the Board determined this was conjecture. The Board also found that, although at the time of the report the RS graded three other Majors more highly than you, the Board found no evidence of nexus between the ranking decision and your medical condition. Additionally, relative value marks comparing you to your peers are boardroom metrics used to weigh the merit of a single fitness report in relation to the RS's rating history, and not determinant of the report's satisfactoriness. Lastly, your application for relief primarily concerns subjective matters of opinion rather than objective matters of record. Subjective matters of opinion are exactly that, subjective, and do not invalidate fitness reports. 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,

12/12/2025

[REDACTED]