



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

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Docket No. 3914-25
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.

Because your application was submitted with new evidence not previously considered, the Board found it in the interest of justice to review your application. Your current request has been carefully examined by a three-member panel, sitting in executive session on 14 January 2026. The names and votes of the panel members 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 the 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.

You previously applied to this Board to modify or remove your fitness report for the reporting period of 1 January 2019 to 11 September 2019 and were denied relief on 8 July 2021. The Board relied on the Marine Corps Performance Evaluation Review Board (PERB) decision and the advisory opinion provided to the PERB to conclude your fitness report was valid as written and filed.

The Board carefully considered your current request to modify the same fitness report to reflect marks of "B" for "Performance" and "Judgment," along with your contentions that your Reporting Senior (RS) requested this modification, as indicated by the letter you provided in support of you application.

The Board determined new evidence you provided, when considered in conjunction with your record, does not meet the burden of proof to conclude probable material error, substantive inaccuracy, or injustice exists to warrant the modifications you request. Foremost, the Board noted that the letter you provided from your RS is not dated, and appears to bear a computer-generated signature without further proof of authenticity. Further, even without considering the

authenticity issues, although the letter speaks favorably of your character and performance *following* the period of review in question, it does not identify any mistakes your RS made in assessing you or preparing your report, or offer any information that would have changed his evaluation of your performance at the time of the report.

Additionally, the Board noted that the adverse remarks you received were properly justified in the language of the report in accordance with the Marine Corps Performance Evaluation System (PES) Manual, that you acknowledged the adverse nature of the report, and you elected your right to submit a statement. The Board further opined that despite the letter from your RS, the credibility and strength of the PES relies on the accuracy and fairness of original assessments, and not on hindsight or opportunistic revisions. Allowing reporting officials to revise original assessments based on a Marine's prompting would compromise the integrity of the PES overall.

Lastly, the Board relies on a presumption of regularity to support the official actions of public officers, and in the absence of substantial evidence to the contrary, the Board will presume your RS, at the time he evaluated you, properly discharged his official duties. The Board determined the evidence you provided was insufficient to overcome the presumption that your fitness report was prepared and filed in accordance with the PES Manual. 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,

1/30/2026

