



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

█
Docket No. 4408-25
Ref: Signature Date

█
█
█

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 7 January 2026. 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.

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 (1) modify your fitness report for the reporting period of 17 May 2024 to 30 June 2024, by removing the adverse indication in section A, block 5 of the fitness report, and (2) remove the corresponding Navy and Marine Corps (NAVMC) 118(11) counseling entry, dated 18 July 2024, from your official military personnel file (OMPF). You contend that: (1) an inaccurate determination was made regarding your Physical Fitness Test (PFT) class, dated 27 June 2024, in that you should have been given credit for the PFT because you completed two of three PFT events prior to injury, (2) you were not counseled by your commanding officer (CO) as indicated by the counseling entry, but were instead counseled by your officer-in-charge (OIC), (3) the counseling entry contained an inaccurate plank score, (4) due to a change of command, you had no opportunity to provide evidence to your CO for his determination, or notify him of the discrepancy in the plank score to allow correction, and (5) the CO on your adverse fitness report was the incoming CO/third officer sighter.

The Board, however, found that you did not meet the burden of proof, or show by preponderance of evidence, probable material error, substantive inaccuracy, or injustice warranting amendment of your fitness report, or removal of the counseling entry from your OMPF.

Regarding your contention that an inaccurate determination was made regarding your PFT, and that you should have been given credit for the PFT because you completed two of three PFT events prior to injury, the Board found your contentions lack merit. Specifically, the Board noted that although Marine Corps Order (MCO) 6100.13A allows for credit for a PFT if a Marine completes two of the three events prior to injury, credit is not automatic and given at the discretion of the CO. In your case, your CO did not choose to give you credit; which was a matter within his discretion. The Board additionally found the evidence you offered relating to your injury unconvincing. The letter you provided from the Medical Officer did not document a new injury that occurred during the PFT but confirmed the existence of a past injury, from six years earlier, that you stated flared up during your run. The Board observed that you did not report the injury during the run, which you should have done, but waited until afterwards; presumably, only after realizing you had failed. The Board concluded your CO was not convinced by your circumstance, as evidenced by his decision not to give you credit for the PFT, and the Board was likewise not convinced by your arguments.

Regarding your contention that you were not counseled by your CO, as indicated by the counseling entry, but were instead counseled by your OIC, apart from your assertion that this was the case, you provided no evidence to support this contention. Review of the counseling entry shows that, as was required, it contained written notification of your deficiencies, specific recommendations for corrective action, directions on where you could seek assistance, the consequences for your failure to take corrective action, and notification of the opportunity to submit a rebuttal; which you state you provided. The entry was also signed by your CO. The Board noted that Counseling entries are given the presumption of regularity, which requires that you provide substantial evidence that the entry was unjust or materially in error. The Board found your evidence on this point insufficient and determined the counseling entry was an accurate and valid documentation of your PFT failure.

Regarding your contention that the counseling entry contained an inaccurate plank score, although the Board agreed with you that the plank time in the entry is in error, the Board determined this was likely a typographical error and, since your accurate plank score was reflected in both your fitness report and official PFT results, was a harmless error that does not impact the validity of the counseling entry.

Regarding your contention that, due to the change of command, you had no opportunity to provide evidence to your CO for his determination or notify him of the discrepancy in the plank score to allow correction, the Board also did not find your evidence persuasive. The Board determined that, since your correct plank score was reflected in your official PFT results and fitness report, whether or not you had the opportunity to bring this matter to his attention had no impact on the validity of either your fitness report or counseling entry. Moreover, again, the Board found your evidence insufficient to overcome the presumption of regularity.

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,

1/22/2026

