



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

█  
Docket No. 4494-25  
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.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 14 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, as well as the 22 April 2025 decision furnished by the Marine Corps Performance Evaluation Review Board (PERB) and the 10 March 2025 advisory opinion (AO) provided to the PERB by the Manpower Management Performance Branch (MMPB-23). The AO was provided to you on 22 April 2025 and you were given 30 days in which to submit a response. Although you were afforded an opportunity to submit a rebuttal, you chose not to do so.

The Board carefully considered your request to remove your fitness report for the reporting period 21 January 2017 to 30 June 2017. The Board considered your statement regarding the adoption of your son. Given the size of your reporting official's profiles, you believe you were unfairly and negatively characterized. You claim this bottom tier fitness report is clearly an anomaly when weighed against the rest of your profile.

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 reports. 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 its review, the Board noted that your reporting officials had mature profiles at the time your

fitness report was written and the Section I comments appear well-informed. The Board found your claims, that you were unfairly and negatively characterized, are conjecture and not supported by evidence. Furthermore, the Board found no evidence that your performance warranted higher marks than you received and a low relative value does not constitute a basis for a substantive correction. 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,

1/27/2026

