



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

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Docket No. 4499-25
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 █ decision furnished by the Marine Corps Performance Evaluation Review Board (PERB) and the █ advisory opinion (AO) provided to the PERB by the Manpower Management Performance Branch (MMPB-23). The AO was provided to you on 23 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 modify your fitness report for the reporting period 25 January 2017 to 28 April 2017 by making it not observed. Alternatively, you request to amend the period covered to 29 January 2017 to 27 April 2017. You also request the removal of your failures of selection (FOS) for the Fiscal Year 2025 and 2026 Lieutenant Colonel promotion selection boards. The Board considered your statement regarding your temporary assignment from 25 January 2017 to 28 January 2017. You contend that adjusting the report's dates would reduce the reporting period to 89 days, which is below the minimum requirement, and that the Reporting Senior's absences reduced the opportunity for meaningful observation.

The Board, however, substantially concurred with the PERB's decision that you did not demonstrate probable material error, substantive inaccuracy, or injustice warranting a

modification of your fitness report. 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 determined that the fitness report's start date is in accordance with the PES Manual guidance. Even if the Board accepted your argument to change the report's start date, the observation period would be reduced from 94 to 90 days. A 90-day period still meets the minimum requirement for an observed report. The Board opined that your reporting official's comments appear well-informed and based upon sufficient observation despite any temporary absences. The Board also determined that your dissatisfaction with the relative value or perceived competitiveness of a fitness report does not constitute a basis for its modification. As the fitness report is deemed valid, the Board found no basis to grant your request for the removal of your FOSs. 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

