



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

Docket No. 4504-25
Ref: Signature Date

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 21 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), the 7 March 2025 advisory opinion (AO) provided to the PERB by the Manpower Management Performance Branch (MMPB-23), and your response to the AO.

The Board carefully considered your request to remove your fitness report for the reporting period of 1 June 2022 to 10 January 2023. You contend that the fitness report is inaccurate in that: 1) the fitness report falsely claims that you did not complete the Logistics Readiness Evaluation Corrective Action Plan (CAP), when it was validated and pending approval, 2) the fitness report contains misleading information suggesting you were relieved for cause following a period of extensive counseling, when you were counseled only once, and 3) regarding timeliness, the fitness report was finalized on 4 September 2024, after being kicked back from the MMPB several times.

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 report. Rather, the Board determined that your fitness report is valid as written and filed in accordance with the Marine Corps Performance Evaluation System (PES) Manual. As the AO identified, you were relieved of your Company Commander duties on 28 December

2022, due to a loss of trust and confidence resulting from your: 1) failure to ensure that approximately half of the company Marines, for whose training you were responsible, had completed required Fiscal Year (FY) training, 2) failure to correctly reconcile your assigned supply account, and 3) failure to execute a corrective action plan for logistics readiness. You were also not recommended for promotion, received an adverse rating in Performance, and failed to complete the required qualification for the Combat Marksmanship Pistol Program, during FY-22, due to lack of due diligence. The factual basis for your fitness report's adverse content is supported by your non-recommendation for promotion and adverse attribute marking. Furthermore, you did not provide any evidence, not already available at the time of report processing, to justify any higher marks than those received. As the AO explained, the PES and fitness reports are designed to record the outcomes of adjudicated matters and do not function to determine guilt. The PERB's role is to ensure that your relief for cause was properly not documented and not to second guess whether or not it was justified. Additionally, you were given the opportunity to rebut your relief for cause, which you exercised. The Board noted the factual discrepancies you raised were reviewed and adjudicated, and the adverse fitness report upheld. Lastly, regarding your concern related to inadequate counseling that you raised in your rebuttal to the AO, the Board was not convinced by your evidence after concluding that counseling can take many forms and need not occur in a formal setting.

Finally, 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, will presume they have properly discharged their official duties. The Board found your evidence insufficient to overcome this presumption. Thus, in the absence of new evidence to the contrary, the Board 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,

2/18/2026

