



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

701 S. COURTHOUSE RD

ARLINGTON, VA 22204

█  
Docket No. 4514-25

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.

A three-member panel of the Board, sitting in executive session, considered your application on 11 February 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 28 February 2025 advisory opinion (AO) provided to the PERB by the Manpower Management Performance Branch (MMPB-23). Although you were afforded an opportunity to submit a rebuttal, you chose not to do so.

The Board determined your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined a personal appearance was not necessary and considered your case based on the evidence of record.

The Board carefully considered your request to remove your fitness report covering the period of 2 July 2024 through 19 September 2024 from your Official Military Personnel File (OMPF). You contend that the fitness report should have been submitted as a "Not Observed" report because the reporting period was under 90 days, the criteria for exception to the 90 day requirement were not met, and the Section I comments were ambiguous.

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. As the PERB explained, although your fitness report only covered an 80-day period, your Reporting Senior (RS) provided directed comments in Section I, as required by the

PES Manual, invoking an exception to the 90-day observed report policy. Upon review of his comments, the Board found he provided a clear explanation of his increased meaningful and personal contact with you, thereby demonstrating sufficient observation, both in quantity and quality, to warrant an exception to the 90-day policy. Therefore, the Board, like the PERB, found your RS's exception for an observation period of less than 90 days valid. 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,

2/24/2026

