



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

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Docket No. 4587-25
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 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 23 April 2025 decision furnished by the Marine Corps Performance Evaluation Review Board (PERB) and 25 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 to the AO, you chose not to do so.

The Board carefully considered your request to remove your fitness report for the reporting period 1 January 2023 to 2 June 2023. The Board considered your contention that you were singled out for an adverse fitness report after the Commanding General's Readiness Inspection (CGRI), even though your program was one of three found ineffective. You claim that you inherited an ineffective program from a Marine who did not receive an adverse report and the command investigation was still pending when your report was written.

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. 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 the fitness report was marked adverse due to substandard performance documented during the CGRI. The Substance Abuse Control Officer (SACO)

program, for which you were responsible, was deemed ineffective after receiving 16 negative findings on 21 checklist items; a failure rate of over 80 percent. While your reporting officials acknowledged that you inherited an ineffective program, your Reviewing Officer (RO) noted there was an initial period of success. As a Staff Non-commissioned Officer, you were granted special trust and confidence to bring the SACO program into compliance. According to the RO, you later admitted that the program's failure was due to your own inaction in not following or acknowledging the required items. Furthermore, the Board noted that the Third Officer Sighter adjudicated your fitness report. Because you elected not to submit a statement at the time, there were no factual discrepancies for the adjudicating officers to consider. Your decision not to submit a statement implies an understanding of the fitness report's adverse nature. Finally, the Board was not persuaded by your argument that an injustice exists since you received an adverse report while others with ineffective programs did not. The Board noted you provided no evidence, other than your statement, to substantiate your contention and determined it lacked the necessary evidence to reach such a conclusion. The Board also noted that no two cases are exactly alike and concluded your command leadership was best situated to evaluate the facts and determined who merited an adverse report. 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,

2/4/2026

