



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

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Docket No. 4596-25
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 application on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 18 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 23 April 2025 decision by the Marine Corps Performance Evaluation Review Board (PERB) and the 21 February 2025 Advisory Opinion (AO) provided to the PERB by the Headquarters Marine Corps Performance Evaluation Section (MMPB-23). Although you were afforded an opportunity to submit a rebuttal, you chose not to do so.

The Board carefully considered your request to remove the fitness report for the reporting period 16 June 2018 to 4 December 2018 because the Reporting Senior's (RS) section I comments "reflected an inability to conduct requisite [Professional Military Education] due to injury and an associated drop in grading." Specifically, you contend removal is warranted because the RS's verbiage was adverse and his grading was below average. Further, you contend removal is warranted because the RS used "negative words, phrases, and qualifying adjectives" such as "he would benefit greatly," "baseline expectations of the billet," "unable to execute," and "help him develop."

The Board, however, determined the fitness report was valid as written and filed, in accordance with the applicable Performance Evaluation System Manual. The Board concurred with the AO and determined the RS's remarks do not necessarily invalidate the report. Further, the Board noted you did not provide evidence your conduct and performance warranted higher grades than

assigned. Based on the available evidence, the Board concluded there is insufficient evidence of an error or injustice warranting the removal of the fitness report. 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,

3/10/2026

