



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

█  
Docket No. 4719-25  
Ref: Signature Date

█  
█  
█  
  
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 29 April 2025 decision furnished by the Marine Corps Performance Evaluation Review Board (PERB) and the 26 March 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 of 1 June 2023 to 7 April 2024. You contend that your fitness report was marked unfairly low by your Reporting Senior (RS) because she was personally offended by your decision to publish an article without her knowledge. You believe you were treated unfairly as compared to the naval officer who co-authored the article with you since you received a Punitive Letter of Caution (NPLOC) and the other naval officer did not.

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. Regarding the marks received on the fitness report in question, the Board found you provided no evidence, apart from your own statement, that your performance or conduct warranted marks any higher than those received. Although examination of your Master Brief Sheet shows a slight

drop in two attribute marks as compared to those on your previous report, as the PERB explained, there is no PES Manual constraint from an RS lowering an attribute mark on a subsequent report and a report is not considered unjust solely because the attribute marks declined. Regarding your contention of unfair treatment as compared to the naval officer, the Board found your contention lacks merit. Foremost, the Board noted that the naval officer fell under a different RS than you and the decisions of one servicemember's RS do not govern decisions an entirely different RS makes in relation to an entirely different servicemember. Additionally, fitness reports are based on individual performance and not group participation or involvement, so that fact that you received a NPLOC and your co-author did not, does not invalidate your fitness 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,

2/12/2026

