



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

█  
Docket No. 5053-25  
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.

Because your application was submitted with new evidence not previously considered, the Board found it in the interest of justice to review your application. 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 12 November 2024 decision furnished by the Marine Corps Performance Evaluation Review Board (PERB), the 14 April 2024 advisory opinion (AO) provided to the PERB by the Manpower Management Performance Branch (MMPB-23), and your rebuttal to the AO.

The Board carefully considered your request to modify your fitness report for the reporting period 1 May 2012 to 29 June 2012 by changing the comparative assessment to block '6.' You also request to remove your failures of selection and convene a Special Selection Board with backpay and benefits contingent upon your selection. The Board considered your contention that your Reviewing Officer (RO) acknowledged inadvertently marking you in block '5' when it should have been in block '6.' You also contend that your rebuttal to the AO was not received. In your rebuttal, you argue that the AO is demonstrably incorrect and your request was not a reaction to being passed over.

The Board, however, upheld the previous PERB and Board decisions, which determined that you did not demonstrate probable material error, substantive inaccuracy, or injustice warranting modification of your fitness report. The Board also determined that your fitness report is valid as written and file in accordance with the applicable Marine Corps Performance Evaluation System

(PES) Manual. According to the PES Manual, a substantive correction revising an assessment of a Marine's conduct or performance should be based entirely on facts about the Marine that were unknown when the original report was prepared. In its review, the Board noted your RO's correspondence to the Fiscal Year (FY) 2026 Lieutenant Colonel Promotion Selection Board (PSB). However, the Board found no evidence of information regarding your performance that was not known to the RO when he evaluated your performance in 2012. Furthermore, the perceived competitiveness of a report's comparative assessment mark is not a basis for modification. Therefore, the Board again concluded there is no probable material error, substantive inaccuracy, or injustice warranting further 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,

3/19/2026

