



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

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Docket No. 5187-25
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 case on its merits. 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 15 May 2025 decision by the Marine Corps Performance Evaluation Review Board (PERB) and the 11 March 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 1 April 2020 to 3 August 2020 because the report is not in compliance with the Performance Evaluation System (PES) Manual. Specifically, you contend the Reporting Senior (RS) completed his evaluation, to include the performance-anchored rating scales and the section I comments, through the lens of you being a new staff sergeant. You further contend the report is written as a "welcome aboard report" and, according to the PES Manual, "there is no place for 'welcome aboard' reports or other techniques that skew performance records." Additionally, you imply the RS did not take care when making the section I comments to "ensure that the comments neither conflict with, nor obscure, the remainder of the evaluation." You also contend the RS did not comply with the PES Manual's requirement to "avoid the temptation to intentionally mark attributes in a manner that ensures reports will be at the bottom of the profile, while simultaneously writing laudatory comments in section I to mislead the [Marine Reported On] into believing the overall report is laudatory." In support of your request to have the

contested report removed, you submitted a letter from the RS explaining his evaluation of your performance during this reporting period. The RS noted he “intended to show his progression with increased markings during future reporting periods, but was ultimately pulled into a new platoon upon return from deployment.” The RS further stated “[u]ltimately, I believe that this Fitness Report is not necessarily reflective of [Petitioner’s] performance at the time of the report” and, if the RS had been “afforded more reporting periods,” you “would have progressed significantly in [his] profile” just like you did as a sergeant in his profile, “ranking amongst the highest Sergeant reports.”

The Board, however, determined the fitness report was valid as written and filed, in accordance with the applicable PES Manual. The Board, concurring with the AO, was not persuaded by the RS’s admission, made over five years after the report was processed, that the report was intended to start slow and show progression. Additionally, the Board noted neither yourself nor the RS presented evidence to demonstrate your performance merited a higher rating than was given. 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,

2/27/2026

