



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

701 S. COURTHOUSE RD

ARLINGTON, VA 22204

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Docket No. 5559-25
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), the 28 March 2025 Advisory Opinion (AO) provided to the PERB by the Headquarters Marine Corps Performance Evaluation Section (MMPB-23), and your emailed rebuttal response of 16 May 2025.

The Board carefully considered your request to remove the fitness report for the reporting period 1 October 2013 to 12 May 2014 because you contend the Reporting Senior (RS) never gave you a marking above "B," regardless of your accomplishments, during the three-year period he evaluated you. You further contend the reports written before and after he became your RS make "it evident that his marks are clearly unjust and not a valid/accurate representation of [your] performance during the reporting period." Additionally, you contend the RS's markings have "unjustifiably skewed" your Master Brief Sheet (MBS) marks, "resulting in potentially making [you] appear to be less competitive than other Marines during Promotion Selection Boards." In support of your contentions, you submitted two comparison fitness reports and your MBS as of 19 March 2025.

The Board, however, determined the fitness report was valid as written and filed, in accordance with the applicable Performance Evaluation System Manual. The Board, concurring with the

AO, noted that marking philosophies are unique to each reporting official, making direct comparisons across reports from different reporting officials irrelevant. Therefore, the Board substantially concurred that your petition does not present evidence demonstrating that your performance warranted higher marks than those received. Based on the available evidence, the Board concluded there is insufficient evidence of an error or injustice warranting 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

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Executive Director

Signed by: █