



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

701 S. COURTHOUSE RD

ARLINGTON, VA 22204

[REDACTED]
Docket No. 5924-25

[REDACTED]
Ref: Signature Date

[REDACTED]
[REDACTED]
[REDACTED]

Dear [REDACTED],

This is in reference to your two applications 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 applications, 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 applications have been denied.

A three-member panel of the Board, sitting in executive session, considered your applications on 15 April 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 applications, together with all material submitted in support thereof, relevant portions of your naval record, and applicable statutes, regulations, and policies, as well as the [REDACTED] decisions furnished by the Marine Corps Performance Evaluation Review Board (PERB), and the [REDACTED] advisory opinions (AO) provided to the PERB by the Manpower Management Performance Branch (MMPB-23). The AOs were provided to you on 23 May 2025, and you were given 30 days in which to submit a response. Although you were afforded an opportunity to submit rebuttals to the AOs, you did not do so.

The Board determined your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined a personal appearance was not necessary and considered your case based on the evidence of record.

The Board carefully considered your request to correct your Official Military Personnel File (OMPF) by removing your fitness report covering the period of 2 August 2021 to 31 January 2022, removing your fitness report covering the period of 1 February 2022 to 30 June 2022, and removing the corresponding Reporting Senior (RS) and Reviewing Officer (RO) markings from your Master Brief Sheet (MBS), along with your contentions that 1) these fitness reports violated Marine Corps Order (MCO) 1610.7B, in that the letter grades assigned were tainted by a pattern of racially charged comments and biased treatment, and as such, failed to reflect a fair assessment of your performance, individual capacity, or professional character, while

undermining the objectivity and integrity required by Marine Corps standards; and 2) again involving racial bias, the RS changed the fitness report covering the period of 2 August 2021 to 31 January 2020 without your consent and in violation of MCO 1610.7B.

The Board, however, substantially concurred with the AOs in finding that you did not demonstrate probable material error, substantive inaccuracy, or injustice warranting the relief requested. As the AOs explained, you have, unfortunately, not provided sufficient evidence to warrant removal of your fitness reports. Although you allege unfair bias based on race, your allegations rely primarily on speculation and lack concrete proof of prohibited bias within your reporting chain. As the AO noted, neither fitness report contains overt expressions of racial or personal bias, or any ambiguous comments that may be interpreted as such. Regarding the letter grades assigned, despite the compelling statement you provided from your coworker asserting possible unprofessional treatment by your RS, it is possible those grades were based on your performance and did not result bias. Simply put, there is just not enough evidence to justify removal of your reports. That said, the Board also agreed with the AOs summation, that it does not imply or infer that you have never been subjected to bias in your career, but only that the fitness reports at issue do not demonstrate systemic bias such that they should be removed. The Board thus concluded your fitness reports remain valid as written and your requests should be denied.

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,

4/29/2026

[REDACTED]