



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

██████████
Docket No. 6012-25
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.

A three-member panel of the Board, sitting in executive session, considered your application on 22 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 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 23 May 2025 decision furnished by the Marine Corps Performance Evaluation Review Board (PERB), and the 20 March 2025 advisory opinion (AO) provided to the PERB by the Manpower Management Performance Branch (MMPB-23). The AO was 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 a rebuttal to the AO, you did not do so.

The Board carefully considered your request to modify your fitness report covering the period of 20 April 2019 to 9 September 2019 from an "observed" to a "not observed" report, along with your contentions that the fitness report should be modified because it contains multiple violations of Marine Corps Order (MCO) 1610.7b.

The Board, however, substantially concurred with the AO in finding that you did not demonstrate probable material error, substantive inaccuracy, or injustice warranting the relief requested. Specifically, although you requested the fitness report be modified to a "not observed" report, in its entirety, the PERB ultimately modified your fitness report to render only the Reporting Senior (RS) portion, "not observed," while the Reviewing Officer (RO) portion was left intact. As the AO explained, when all questionable periods of observation time were removed, only 32 days of observation remained between you and your RS, which is typically not sufficient time to write an observed report. The Board concurred with this determination and

with the resulting action by the PERB, to change only the RS portion of your report to “not observed.” Because this change has already been made to your fitness report, the Board determined it need take no further action on this matter. Regarding the RO portion of your report, the Board additional concurred with the PERB that it was appropriate to leave this portion of the fitness report intact. The Board opined, the RO portion of the report covered 142 days of observation, and that you did not demonstrate probable material error, substantive inaccuracy, or injustice warranting modification of this portion of the fitness report. As such, the Board determined your petition 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,

5/7/2026

