



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

Docket No. 6388-25
Ref: Signature Date

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 18 March 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 5 February 2025 memorandum furnished by the Manpower Management Performance Branch (MMPB-23), the 1 October 2024 advisory opinion (AO) provided to the Marine Corps Performance Evaluation Review Board (PERB) by MMPB-23, and your response to the 5 February 2025 memorandum.

The Board carefully considered your request to modify your fitness report covering the period of 16 June 2021 to 22 June 2022, by removing the Reviewing Officer (RO) comment, "Brief as a 5," from Section K of the report, and if approved, remove all Failures of Selection (FOS) for promotion to the rank of Lieutenant Colonel (LtCol) from your Official Military Personnel File (OMPF). You contend that the RO comment was unacceptable under the Marine Corps Performance Evaluation System (PES) Manual and contradicted the Reporting Senior's (RS) comment, within the same report, to "brief as a 6." You believe this contradiction could have a confusing, negative, and factually inaccurate impact on the ranking of your package before a promotion board.

As a preliminary matter, the Board noted that the PERB already granted relief, in part, by redacting the RO's comment, "brief as a 5," from your fitness report. On that matter, the PERB found the comment could be interpreted as a limiting or negative assessment, that it strayed from the RO's responsibility to comment on your potential, and that it should be removed.

Regarding your remaining request, to remove the FOS from your OMPF, the Board concurred with the MMPB-23 memorandum, in its entirety, finding, despite your rebuttal, you did not demonstrate probable material error, substantive inaccuracy, or injustice warranting removal of those records. Specifically, the Board agreed with MMPB-23 that the correction made to your fitness report did not substantially impact your potential for promotion or current rank. As they articulated, the summation of this change would not have improved the perception of your competitiveness had the record been corrected at the time of the promotion selection board convening dates. The Board agreed with this assessment and thus concluded there is no probable material error, substantive inaccuracy, or injustice warranting a change to your record. 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,

3/27/2026

