



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

Docket No. 6757-25
Ref: Signature Date

[REDACTED]
[REDACTED]
[REDACTED]

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 8 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 13 June 2025 decision furnished by the Marine Corps Performance Evaluation Review Board (PERB), the 28 May 2025 advisory opinion (AO) provided to the PERB by the Manpower Management Performance Branch (MMPB-23), and your response to the AO.

The Board carefully considered your request to: 1) remove the fitness report covering the period of 1 June 2021 to 13 May 2022 from your Official Military Personnel File (OMPF); 2) remove from your OMPF any record of prior non-selection for promotion during the Fiscal Year 26 (FY-26) Limited Duty Officer (LDO) Promotion Selection Board; and 3) refer your corrected OMPF to a Special Selection Board (SSB) for reconsideration of the FY-26 board. You contend that the fitness report contains material error, substantive inaccuracy, and procedural deficiencies, as outlined in Marine Corps Order (MCO) 1610.7B, which resulted prejudiced your fair consideration for promotion. You specifically contend the fitness report was inaccurate, misleading, incomplete, and materially prejudiced your competitive standing because it showed a decline in your performance in sections D through H, without justification; omitted from section K required Reviewing Officer (RO) amplifying comments; failed to contextualize your unique billet; and failed to disclose a reduced observation window by not documenting 36 days of leave.

As a preliminary matter, because the PERB already granted you relief in relation to the reduced observation window, and that correction has already been made to your OMFP, the Board did not further consider that portion of your application.

Regarding your remaining contentions, the Board substantially concurred with the PERB's decision in finding that you did not demonstrate probable material error, substantive inaccuracy, or injustice warranting the relief requested. As the PERB explained, the PES Manual does not restrict a Reporting Senior (RS) from adjusting attribute markings, resulting in either an increase or decrease in the overall report average. Additionally, there is no requirement to mirror previous attribute marks, and a lower report average, when compared to a prior report, does not automatically invalidate it. Furthermore, an RS need not justify a lower mark on a subsequent report unless the mark is adverse ("A") or "F." The Board further noted that receipt of a personal award, in your case the Navy and Marine Corps Achievement Medal (NAM), is not relevant, as the PES Manual does not establish a correlation between receiving a personal award and specific evaluation metrics. Regarding your contention that the fitness report failed to contextualize your unique billet, the Board noted your position was referenced in sections B and C of the report, which was consistent with your previous report, and which you did not contest. The Board also agreed with the PERB that your contention regarding lack of RO amplifying comments lacks merit as, although RO comments should amplify the comparative assessment (CA) mark, the RO is not tasked with evaluating your performance, but, rather, your future potential. Lastly, although the Board carefully considered the letter from your RO, the Board noted he did not request changes to his original markings and comments, and, although in retrospect, he states he does not agree with the report's RV, he does not have the authority to order the RS to change marks or comments unless the errors were administrative or factual in nature. Additionally, as is always the case, the perceived competitiveness of a fitness report's RV is not a basis for removing or modifying a report, as the RV is a reflection of the RS's rating of Marines of the same grade, and is not a determinant of whether a report is satisfactory or unsatisfactory. As such, notwithstanding the action already taken by the PERB to modify your fitness report, the Board determined there was insufficient evidence of error or injustice to warrant removal of the fitness report and, therefore, found no basis to remove any non-selections for promotion or order a SSB in your case.

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,

4/20/2026
