



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

Docket No. 6781-25
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.

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 1 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 2 June 2025 advisory opinion (AO) provided to the PERB by the Manpower Management Performance Branch (MMPB-23), and your response to the AO.

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 modify your fitness report covering the period of 1 June 2018 to 13 September 2018, to change the Reviewing Officer (RO) comparative assessment (CA) mark from block "5" to block "6." You contend that the mark was made in error, as evidenced by a letter provided from the RO.

The Board, however, concurred with the AO and found, despite your rebuttal to the AO, that you did not demonstrate probable material error, substantive inaccuracy, or injustice warranting modification of your fitness report. As the AO explained, revising your report would have a substantial cascading effect on the RO's overall Captain profile, potentially creating inequities for other Marines. As the AO noted, the PERB is obligated to consider the broader

consequences of revisions that may impact more than one individual, as the integrity and credibility of the Performance Evaluation System (PES) relies on the original assessments, made by reporting officials, to be free from retrospective adjustments. The Board agreed with this assessment and similarly determined the inequities created with the change you requested are too great to overlook, regardless of the RO's original intent or the harm you contend it causes you. When weighing the inequity that would be created against others against the harm you claim to exist, the Board determined the interests of justice weigh in favor of denying your request. In making this finding, the Board considered your successful career progression, as demonstrated by your promotion to Major, despite the existence of the report in your record. Therefore, even if the Board were to determine your RO actually intended to mark you a "6" in the CA, the Board found this error not to be material.

As such, 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,

4/13/2026

Executive Director

Signed by: