



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

██████████
Docket No. 7242-25
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.

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 27 May 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 3 July 2025 decision by the Marine Corps Performance Evaluation Review Board (PERB) and the 16 May 2025 Advisory Opinion (AO) provided to the PERB by the Headquarters Marine Corps Performance Evaluation Section (MMPB-23). Although you were afforded an opportunity to submit a rebuttal, you chose not to 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 modify the fitness report for the reporting period 16 December 2019 to 31 May 2020 to reflect a block "6" Reviewing Officer (RO) comparative assessment marking vice the current block "5" because the "5" block marking has had, and will continue to have, negative impacts on your competitiveness for command, promotion, and school selection. You contend the RO had limited interaction with you during the reporting period based on the two of you being stationed on opposite sides of the country and COVID travel restrictions. Further, your deployment in support of Operation Inherent Resolve for most of the reporting period, during a time when the RO was actively observing your peers, further decreased observation time. In support of your request, the RO provided a memorandum

explaining the “5” block marking was “inadvertent and inconsistent” with his assessment of your future potential compared against peers. Further, the RO stated “[f]rom interactions with this officer after writing this report, I now realize the great potential this officer possesses” to effectively serve as a battalion commander and leader of Marines in challenging environments. Finally, the RO acknowledged “the impact this correction will have on reports I have observed on other Marines of the same grade.”

The Board, however, determined the fitness report was valid as written and filed, in accordance with the applicable Performance Evaluation System (PES) Manual. The Board, concurring with the AO, noted there is no requirement for the Marine Reported On and the Reporting Official to be co-located in order for valid observation to occur. Further, the Board noted the RO’s statement that he “now” realizes the great potential you possess and, concurring with the AO, determined a hindsight revision of your potential undermines the fairness and accuracy established in the evaluation process because the PES Manual requires the comparative assessment marking to be based on your performance, during the reporting period, relative to your peers and not on later achievements or revised opinions. Lastly, the Board noted the significant cascading effect the modification would have on the RO’s Major profile, impacting 82% of his profile, and determined the potential inequities for other Marines would further undermine the PES. Based on the available evidence, the Board concluded there is insufficient evidence of an error or injustice warranting modification of the fitness report.

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,

6/8/2026

