



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

Docket No. 7255-25
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 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 3 July 2025 decision furnished by the Marine Corps Performance Evaluation Review Board (PERB) and the 19 May 2025 advisory opinion (AO) provided to the PERB by the Manpower Management Performance Branch (MMPB-23). Although you were afforded an opportunity to submit a rebuttal to the AO, you chose not to do so.

The Board carefully considered your request to modify your fitness report covering the period of 20 May 2018 to 1 March 2019 by changing the Reviewing Officer (RO) Comparative Assessment (CA) mark from Block 6 to Block 7. You contend that, because you were the first Major (MAJ) of 30 total officers of that rank evaluated by the RO, you were inadvertently marked in Block 6, below the majority of other officers, despite the Reporting Senior's (RS) Relative Value (RV) for the report being in the RS's top third. You further contend that the RO concurred with the RS's evaluation of your performance, and intended to align your CA mark with the RV. Specifically, you contend the RO indicated your CA should have been marked in Block 7, to accurately reflect your performance and future potential, but that he was unaware of the discrepancy at that time.

The Board, however, substantially concurred with the PERB's decision in finding that you did not demonstrate probable material error, substantive inaccuracy, or injustice warranting modification of your fitness report. As the PERB explained, although you provided a statement from the RO acknowledging your potential, this statement was made and provided more than six years after the RO's original assessment, which calls to question the legitimacy of your request and undermines the value of the RO's letter. The Board concluded your RO's statement does not invalidate his original assessment. CA marks are based on a Marine's performance relative to peers at the time of the evaluation, and are not based on later achievements or revised opinion. Additionally, revising your report would have a significant cascading effect on your RO's profile for Major, impacting 25 of 31 observed reports, potentially creating inequities for other Marines. As the PERB explained, the integrity of the Performance Evaluation System (PES) relies on original assessments made by reporting official unaffected by retrospective revision. This ensures the fairness and accuracy of the evaluation process, preventing potential unwarranted enhancements to a Marine's prospects for advancement. Furthermore, you have since been promoted to Lieutenant Colonel, demonstrating your continued successful career progression, despite this 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,

4/23/2026

