



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

Docket No. 8079-25
Ref: Signature Date

Dear [REDACTED],

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 6 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 17 July 2025 decision furnished by the Marine Corps Performance Evaluation Review Board (PERB), and the 3 June 2025 advisory opinion (AO) provided to the PERB by the Manpower Management Performance Branch (MMPB-23). The AO was provided to you on 17 July 2025, and you were given 30 days in which to respond. Although you were afforded an opportunity to provide a rebuttal to the AO, you did not do so.

The Board carefully considered your request to remove your fitness report covering the period of 1 January 2024 to 1 July 2024 from your Official Military Personnel File, along with your contention that the fitness report, which is adverse, was based on failure of your semi-annual weigh-in without first receiving a medical evaluation to return to full duty and without first signing a counseling entry or being formally assigned to the Body Composition Program (BCP).

The Board, however, substantially concurred with the PERB in finding that you did not demonstrate probable material error, substantive inaccuracy, or injustice warranting relief. As the PERB identified, you were not within standards on 31 May 2024, more than 12 months after the birth of your child, and eight months following a subsequent miscarriage. Additionally, your claim of not being medically evaluated prior to your return to full duty is not supported by the timelines, as you were already more than 12 months post-partum, so a medical evaluation was not required. Regarding the BCP, as the PERB explained, the Performance Evaluation System

(PES) Manual does not require assignment to the BCP for an adverse fitness report to be issued. The Board agreed with the PERB that the adverse nature of your fitness report stemmed directly from your failure to meet established standards. Lastly, you were given an opportunity to make a statement in response to the fitness report, but you declined to do so. The Board relies on a presumption of regularity to support the official actions of public officers, and in the absence of substantial evidence to the contrary, the Board will presume they have properly discharged their official duties. In the absence of a statement or documentation refuting your full duty status, or proof of a medical waiver for weight requirements, the Board concurred with the PERB in presuming your fitness report is correct. As such, the Board concluded your request should be denied.

In the absence of sufficient new evidence for reconsideration, the decision of the Board is final, and your only recourse would be to seek relief, at no cost to the Board, from a court of appropriate jurisdiction.

Sincerely,

5/18/2026

