



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

JSR  
Docket No: 1264-09  
9 April 2009

[REDACTED]

[REDACTED]

This is in reference to your undated DD Form 149 ("Application for Correction of Military Record under the Provisions of Title 10, U.S. Code, Section 1552").

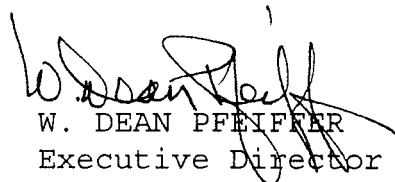
A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 9 April 2009. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the report of the Headquarters Marine Corps Performance Evaluation Review Board (PERB), dated 10 February 2009, a copy of which is attached, and the DD Form 149 dated 6 March 2009 with continuation of block 6.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice. In this connection, the Board substantially concurred with the comments contained in the report of the PERB. The Board was unable to find you were not formally counseled about your leadership, noting that in the justification for the mark in section F.1 ("Leading Subordinates") of the contested fitness report, the reporting senior stated you were "informally and formally counseled on [your] inability to provide senior

enlisted mentorship to the platoon." In view of the above, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously 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,



W. DEAN PFEIFFER  
Executive Director

Enclosure