



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
701 S. COURTHOUSE ROAD, SUITE 1001
ARLINGTON, VA 22204-2490

JSR
Docket No. NR8390-14
9 April 2015

[REDACTED]

Dear Staff Sergeant [REDACTED]

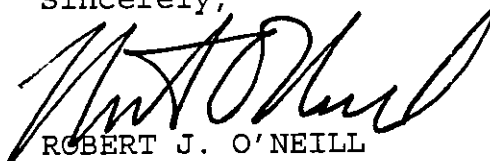
This is in reference to your application dated 29 July 2014, seeking reconsideration of your previous application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552. You again requested removing the fitness report for 1 to 30 January 2008. In your previous case, docket number NR3114-13, the Board denied this relief on 18 July 2013.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, reconsidered your case on 9 April 2015. 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, the Board's files on your most recent prior case and docket number 8119-12 (concerning the service record page 11 entry dated 17 November 2011), your naval record and applicable statutes, regulations and policies. The Board also considered the advisory opinion from Headquarters Marine Corps (HQMC) dated 16 October 2014 and the report of the HQMC Performance Evaluation Review Board (PERB) dated 3 February 2015, copies of which are attached.

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 advisory opinion and the report of the PERB. Accordingly, the Board again voted to deny relief. 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 evidence within one year from the date of the Board's decision. New evidence is evidence not previously considered by the Board prior to making its decision in this case. 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,



ROBERT J. O'NEILL
Executive Director

Enclosure