



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

REC

Docket No: 07648-11  
27 July 2011

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: [REDACTED]

Ref: (a) 10 U.S.C. 1552

Encl: (1) DD Form 149 with attachments  
(2) Case Summary  
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner, a former enlisted member of the Navy Reserve, filed enclosure (1) with this Board requesting, in effect, that his record be corrected to show that he was not discharged on 5 March 1995, but continued to serve until 5 April 1995.

2. The Board, consisting of Mr. Clemmons, Mr. Hotopp, and Ms. Barrow, reviewed Petitioner's allegations of error and injustice on 27 July 2011 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. Before applying to this Board, Petitioner did not exhaust all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Enclosure (1) was not filed in a timely manner:

c. Petitioner enlisted in the Navy Reserve on 6 April 1993, and served honorably until 5 March 1995, one month prior to the end of his active obligated service date, as his squadron was deploying.

d. With his application, Petitioner forwarded a copy of his enlistment contract and military identification card, which

reflected his obligation of 30 April 1995. This correction will allow him to qualify for a Department of Veterans Affairs home loan.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request warrants relief. He was in good standing in the Navy Reserve fulfilling his total obligation until 30 April 2000. Therefore, the Board concludes that his record should show one month constructive service on his Certificate of Release or Discharge from Active Duty (DD Form 214) for a total of two years vice one year, 11 months, and zero days. In view of the above, the Board recommends the following relief.

RECOMMENDATION:

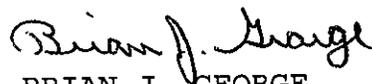
a. That Petitioner's naval record be corrected to show that he was not discharged on 5 March 1995, but continued to serve until 5 April 1995 in the Navy Reserve in pay grade as an (AN) airman, pay grade E-3. This to be accomplished by giving him 30 days of constructive service.

b. That his record show no break in service.

c. That a copy of this Report of Proceedings be filed in his naval record.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c) it is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN  
Recorder

  
BRIAN J. GEORGE  
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulation, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

  
W. DEAN PFEIFFER  
Executive Director