



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

SJN  
Docket No: 02664-13  
29 January 2014

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

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]

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

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

1. Pursuant to the provisions of reference (a), Petitioner, a former enlisted member of the Marine Corps, filed enclosure (1) with this Board requesting that Block #26 of his U. S. Marine Corps Report of Separation be changed to read honorable.

2. The Board, consisting of Mr. Bey, Mr. Grover, and Mr. Exnicios, reviewed Petitioner's allegations of error and injustice on 28 January 2014 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 exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Although enclosure (1) was not filed in a timely manner, it is in the interest of justice to waive the statute of limitations and review the application on its merits.

c. Petitioner enlisted in the Marine Corps and began a period of active duty on 1 July 1946. On 12 July 1946, a medical board diagnosed him with having carious teeth, and recommended that he be discharged due to physical disability. After being afforded all of his procedural rights, he received a general

discharge on 24 July 1946. On 7 February 1950, the Board of Review, Discharges and Dismissals (BRDD) directed that his general discharge be changed to honorable. Petitioner submitted enclosure (4), a copy of his honorable discharge certificate. It appears the change was never made to his report of separation and that a copy of his honorable discharge certificate was placed in his official records as result of the BRDD action. Petitioner states that he is seeking veterans' benefits and discovered the error.

**CONCLUSION:**

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request warrants favorable action.

In this regard, the Board notes that the BRDD directed that his character of service be changed in 1950 and that the Report of Separation is no longer issued. However, he should be issued a Certificate of Release or Discharge from Active Duty (DD Form 214) showing that he received an honorable discharge. Accordingly, the general discharge is in error, as reflected in his official record and should be changed to honorable. Additionally, enclosure (4), his Honorable Discharge Certificate, should be placed in his official records in order to assist him with his veterans' benefits. In view of the above, the Board directs the following corrective action.

**RECOMMENDATION:**

a. That Petitioner's naval record be corrected to show that on 24 July 1946 he received an honorable discharge vice the general discharge now of record. Additionally, it is directed that he be issued a new Certificate of Release or Discharge from Active Duty (DD Form 214) certificate.

b. That a copy of this report of proceedings be filed in Petitioner's naval record.

c. That upon request, the Department of Veterans Affairs be informed that Petitioner's application was received on 22 February 2013.

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.

  
ROBERT D. ZSALMAN  
Acting Executive Director