



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

SJN
Docket No: 01869-14
1 May 2014

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

Subj: REVIEW OF NAVAL OF RECORD [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, filed enclosure (1) with this Board requesting the removal of time lost reflected in block 29 (dates o time lost during this period) "TL: 051021-05", of her Certificate of Release or Discharge from Active Duty (DD Form 214).

2. The Board, consisting of Mr. Zsalman, Ms. White-Olson, and Mr. Marquez, reviewed Petitioner's allegations of error and injustice on 30 April 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. Petitioner enlisted in the Navy and began a period of active duty on 19 March 2002. On 14 November 2005, she received nonjudicial punishment (NJP) for unauthorized absence (UA) that was less than 24 hours (0700-1300 hours, 21 October 2005). She received restriction, extra duty, and a forfeiture of pay. She remained on active duty until she was honorably discharged on 18 March 2010. At that time, block 12c (net active service this period) of her Certificate of Release or Discharge from Active

duty (DD Form 214) states 8 years, 0 months and 0 days, indicating no lost time. However, block #29 of her DD Form 214 shows "TL: 051021-05". On 2 January 2014, the Navy Personnel Command changed her record with a Correction to DD Form 214, Certificate of Release or Discharge from Active Duty (DD Form 215), stating that block #29 should read "TL: 05OCT21 TO 05OCT21", indicating a full day of UA.

d. In her application, she states, in part, that she is trying to buy her back military time and is having difficulty with the processing due to the lost time shown on her DD Form 214 and 215.

CONCLUSION:

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

After careful and conscientious consideration of the entire record, the Board concludes that Petitioner's UA was less than 24 hours, and her DD Form 214 should be corrected by removing the entry in Block 29 "TL: 051021-05". Additionally, remove the DD Form 215 dated 2 January 2014 (Doc ID: 22466585) from her Official Military Personal File (OMPF) that shows "TL: 05OCT21 TO 05OCT21", indicating she was UA for 24 hours.

RECOMMENDATION:

a. That Petitioner's DD Form 214 be corrected by removing the entry "TL: 051021-05" from block 29 of her DD Form 214. It is also directed that she be issued a new DD Form 214. Additionally, remove DD Form 215 dated 2 January 2014 (Doc ID: 22466585) from her OMPF stating she was UA for 24 hours.

b. That any material or entries inconsistent with or relating to the Board's recommendation be corrected, removed or completely expunged from Petitioner's record and that no such entries or material be added to the record in the future.

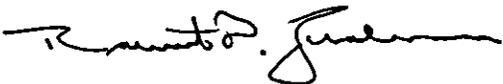
c. That any material direct to be removed from Petitioner's naval record be returned to this Board, together with a copy of this Report of Proceedings, for retention in a confidential file maintained for such purpose, with no cross reference being made as part of Petitioner's naval record.

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.


ROBERT D. ZSALMAN
Acting Executive Director