



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

SJN
Docket No: 2782-14
5 June 2014

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

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]
[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 a characterization of his service on his Armed Forces of the United States Report of Transfer or Discharge (DD Form 214), issued on 14 December 1962.

2. The Board, consisting of Mr. Gattis, Mr. Grover, and Ms. Trucco, reviewed Petitioner's allegations of error and injustice on 3 June 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 Navy and began a period of active duty on 2 November 1959. On 7 July 1960, he received nonjudicial punishment (NJP) for disobedience. He received restriction. On 6 September 1960, he was convicted by civil

authorities of an unknown offense and sentenced to pay a fine. He remained on active duty until 14 December 1962, when he was honorably released from active duty and transferred to the Navy Reserve. He was discharged on 1 November 1965.

d. In his application, Petitioner states that he never received a characterization of service on his DD Form 214. The Board found that after a review of his official records, the DD 214 issued fails to show his honorable characterization of service. His Record of Discharge, Release from Active Duty, or Death (NAVPERS 601-14) directed that Petitioner receive an honorable release from active duty.

CONCLUSION:

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

In this regard, the Board notes Petitioner's overall record of good military service, despite his NJP for a relatively minor offense. Accordingly, his DD 214 should read that he received an honorable release from active duty on 14 December 1962.

RECOMMENDATION:

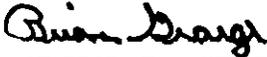
a. That Petitioner's naval record be corrected to show that on 14 December 1962, he received an honorable release from active duty.

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

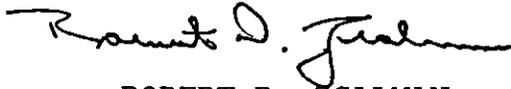
c. That upon request, the Department of Veterans Affairs be informed that Petitioner's application was received on 23 December 2013.

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