



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

█  
Docket No. 1093-20  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO FORMER MEMBER █,  
XXX-XX █ USMC

Ref: (a) Title 10 U.S.C. §1552  
(b) MCO P1070.12K

Encl: (1) DD Form 149 w/attachments  
(2) HQMC memo 1610 MMRP-13/BCNR of 21 May 20  
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his naval record be corrected to reflect the accurate Home of Record (HOR).

2. The Board, consisting of █, █ and █, reviewed Petitioner's allegations of error and injustice on 9 March 2021 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, relevant portions of Petitioner's naval record, 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, found that, before applying to this Board, he exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. In accordance with reference (b), Marines may not change their HOR upon appointment/reappointment to commissioned grade or reenlistment. Such changes are only authorized when there is a break in service of more than 1 full day or if the HOR on the enlistment/reenlistment document, record of induction or appointment acceptance and record, is determined to be erroneous.

b. On 14 May 1993, Petitioner enlisted in the U.S. Marine Corps Reserve; HOR on DD Form 4, Enlistment/Reenlistment Contract reflects █ and place of enlistment is █.

c. On 16 December 1995, Petitioner graduated from █ in █ and was discharged.

d. On 17 December 1995, Petitioner accepted appointment to 2nd Lieutenant in the Marine Corps Reserve.

e. On 8 January 1996, Petitioner was accessed onto active duty in the Marine Corps.

Subj: REVIEW OF NAVAL RECORD ICO FORMER MEMBER [REDACTED],  
XXX-XX-[REDACTED] USMC

f. On 20 March 1996, at the completion of training Petitioner was issued Permanent Change of Station Orders with Permissive Temporary Duty enroute to the Officer Selections Office [REDACTED].

g. On 1 July 1999, Petitioner was released from active duty after completion of active obligation and transferred to the Marine Corps Reserve with Reserve Obligation Term of 16 December 2003.

h. In correspondence attached as enclosure (2), the office having cognizance over the subject matter addressed in Petitioner's application has commented to the effect that the request has merit and warrants favorable action.

#### CONCLUSION

Upon review and consideration of all the evidence of record, and especially in light of the contents of enclosure (2), the Board finds the existence of an injustice warranting the following corrective action. Petitioner met the criteria to change HOR; however, failed to complete the process prior to accepting appointment on 17 December 1995 as outlined in reference (b). Petitioner provided evidence to reflect he established residence in Indiana prior to appointment; therefore, the Board felt under these circumstances, relief is warranted.

#### RECOMMENDATION

That Petitioner's naval record be corrected, where appropriate, to show that:

Petitioner's NAVMC 763, United States Marine Corps Appointment Acceptance and Record dated 17 December 1995 is modified to reflect Block 4 (Home of Record) "[REDACTED] [REDACTED]" vice "[REDACTED] [REDACTED]".

Petitioner's DD Form 214, Certificate of Release or Discharge from Active Duty dated 1 July 1999 is amended to reflect Block 7.b (Home or Record at Time of Entry) "[REDACTED] [REDACTED]" vice "[REDACTED] [REDACTED]".

A copy of this Report of Proceedings will be filed in Petitioner's naval record.

4. It is certified that 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.

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 Regulations, 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.

4/5/2021

[REDACTED]

Deputy Director  
Signed by [REDACTED]