



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

[REDACTED]
Docket No. 3957-22
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO FORMER MEMBER [REDACTED]
[REDACTED]

Ref: (a) Title 10 U.S.C. § 1552
(b) Enlisted Promotion Procedures, July 1956

Encl: (1) DD Form 149 w/attachments
(2) HQMC memo 1400/3 MMPR-2, 24 Jun 22
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Subject's widow, hereinafter referred to as the Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that her spouse's naval record be corrected to reflect Sergeant (Sgt)/E-4 on his DD Form 214, Armed Forces of the United States Report of Transfer or Discharge.

2. The Board, consisting of [REDACTED], reviewed Petitioner's allegations of error and injustice on 20 July 2022 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 Subject'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, she exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. On 28 August 1959, Subject released from active duty and issued DD Form 214 indicating "Cpl/E4" effective 1 May 1958. Subject's Official Military Personnel File (OMPF) contains evidence of a promotion to the rank of Sgt/E-4 with an effective date of 1 May 1958 followed by change of rank title to Acting Sergeant/E-4 on 1 January 1959.

b. 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.

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[REDACTED])

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. The Board concluded Subject's OMPF reflects he promoted to Sgt/E-4 prior to his release from active duty; therefore, under these circumstances relief is warranted.

RECOMMENDATION

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

Petitioner issued DD Form 215, Correction to DD Form 214, Certificate of Release or Discharge from Active Duty dated 28 August 1959 modifying Block 3a (Grade, Rate or Rank) "Sgt/E-4" vice "Cpl/E-4."

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

4. 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.
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 the reference, has been approved by the Board on behalf of the Secretary of the Navy.