



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

█  
Docket No: 2900-22  
Ref: Signature Date



Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

Although your application was not filed in a timely manner, the Board found it in the interest of justice to waive the statute of limitations and consider your application on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 13 June 2022. The names and votes of the panel members will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of the Board. Documentary material considered by the Board consisted of your application together with all material submitted in support thereof, relevant portions of your naval record, and applicable statutes, regulations, and policies, to include the 25 July 2018 guidance from the Under Secretary of Defense for Personnel and Readiness regarding equity, injustice or clemency determinations (Wilkie Memo).

You enlisted in the U.S. Marine Corps and began a period of active duty on 21 September 1957. On 27 March 1958, you submitted a request to serve under the name of █ vice █. On 23 April 1958 the Commandant of the Marine Corps approved your request and subsequently granted authority for your official military personnel file (OMPF) records to be corrected accordingly. On 27 January 1959, administrative remarks document your name has change to "█" On 20 September 1959, you were honorably discharged by reason of termination of active duty. While submitting this application for correction of your military record you provided a █ Change of Name order dated 21 May 1975 capturing the aforementioned name change.

On 5 November 1980, you petitioned the Probate Court of █ a second time to again have your name changed from "█" to "█". The document further captures, "Petitioner would like to use his mother's maiden name as his middle

name and would like to omit the initial “[REDACTED]” as he has always been known by [REDACTED].” On 21 January 1982, your request was granted.

On 9 March 1993, a third request to have your name changed stated: “Petitioner would like to use his mother’s maiden name as his last name. Petitioner’s birth name was [REDACTED]. Petitioner was known as [REDACTED], so it changed. Petitioner then changed his name to [REDACTED] in order to use his mother’s maiden name as his middle name.” A name change order was granted for your name to reflect “[REDACTED].”

On 30 December 2021, you were issued a Correction to DD Form 214, Certificate of Release or Discharge From Active Duty, also known as DD Form 215, which shows your name was in fact changed to [REDACTED].

The Board carefully considered all potentially mitigating factors to determine whether the interests of justice warrant relief in your case in accordance with the Wilkie Memo. These included, but were not limited to, your contention that you changed your name to “[REDACTED]” on 9 March 1993 and would like your record updated to reflect as such for VA (Veterans Affairs) and burial purposes. Based upon this review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board noted your name has already been corrected per a DD Form 215 in your OMPF and no further change to your record was required to document your most recent name change. Accordingly, and given the totality of the circumstances, the Board determined that your request does not merit relief.

You are entitled to have the Board reconsider its decision upon the submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

7/4/2022

[REDACTED]

Executive Director

Signed by: [REDACTED]