



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

█
Docket No: 3112-22

Ref: Signature date

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

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER █
USN, █

Ref: (a) 10 U.S.C. § 1552

Encl: (1) DD Form 149
(2) Naval record (excerpts)

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 name be corrected Certificate of Release or Discharge from Active Duty (DD Form 214) reflect his current legal name. Enclosure (2) applies.

2. The Board, consisting of █, and █, reviewed Petitioner's allegations of error and injustice on 23 May 2022 and, pursuant to its regulations, determined that the corrective action indicated below should be taken. Documentary material considered by the Board consisted of Petitioner's application together with all material submitted in support thereof, relevant portions of his 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).

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 review the application on its merits.

c. Petitioner enlisted in the Navy, on 12 March 1965, and began a period of active duty service. Petitioner's enlistment contract reflected his name as █

d. On 30 April 1985, Petitioner was transferred to the Fleet Reserve. Upon his release from active duty, Petitioner was issued a Report of Separation from the Armed Forces of the United States (DD Form 214) with his name reflecting as █.

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e. On 25 June 2008, Petitioner received a court order from the State of [REDACTED] authorizing the State registrar to issue a new birth certificate with name reflecting as [REDACTED].

f. On 2 April 2010, Petitioner received a birth certificate from the State of [REDACTED] reflecting his name as [REDACTED].

g. Petitioner is requesting this change with the intent to have his current name appear on his military burial and headstone.

CONCLUSION:

Upon review and consideration of all the evidence of record, especially in light of the evidence provided by the Petitioner, the Board concludes that Petitioner's request warrants relief. In this regard, the Board determined the Petitioner's DD Form 214 should be changed in the interests of justice to allow him to have his current name reflected as part of his military burial. Petitioner provides sufficient evidence to document his current legal name is now [REDACTED].

RECOMMENDATION:

In view of the above, the Board directs the following corrective action: Petitioner be issued a new DD Form 214 reflecting his name as [REDACTED]" vice [REDACTED]

That a copy of this report of proceedings 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 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.

6/16/2022

[REDACTED]

Executive Director

[REDACTED]