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

[redacted]
Docket No. 4755-22
Ref: Signature Date

[redacted]

Dear [redacted],

This is in reference to your application for correction of your father's naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your father's 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 case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 2 August 2022. The names and votes of the members of the panel 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 this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, relevant portions of your father's naval record and applicable statutes, regulations, and policies.

You requested to correct your father's rank to sergeant on his Armed Forces of the United States Report of Transfer or Discharge (DD Form 214) dated 17 July 1959. The Board, in its review of your father's entire record and your application, carefully weighed all potentially mitigating factors, to include your assertions. However, upon review of your father's record, the Board found that he promoted to the rank of Sgt/E-4 effective 1 December 1958. Thereafter, on 1 January 1959, his rank title changed to Acting Sergeant/E-4. On 17 July 1959, your father's rank changed to Corporal (Cpl)/E-4, in accordance with Marine Corps Order (MCO) 1223.1 and he was released from active duty and transferred to the Marine Corps Reserve. On 17 July 1963, your father discharged from the Marine Corps Reserve. The Board concluded that the Marine Corps rank structure changed with the addition of the rank of Lance Corporal/E-3 when MCO 1223.1 published and your father's rank was adjusted accordingly to Cpl/E-4. The Board could not find, nor did you provide evidence that your father promoted or met the requirements to promote to the rank of Sgt/E-5, therefore, under these circumstances, relief is not warranted.

Sincerely,

8/11/2022

[redacted]

Deputy Director

Signed by: [redacted]