



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

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Docket No: 6895-22
Ref: Signature Date

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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 30 November 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.

You enlisted in the Navy and began a period of active service on 27 May 1969. Your enlistment documents reflect a date of birth (DOB) of █, for which you signed and acknowledged its accuracy. On 26 May 1971, you were discharged with an Honorable character of service. Your Armed Forces of the United States Report of Transfer or Discharge (DD Form 214), Block 9, also reflects a DOB of █.

The Board carefully considered all potentially mitigating factors to determine whether the interests of justice warrant relief in your case. These included, but were not limited to, your desire to change the DOB listed on your DD Form 214. The Board reviewed your official military personnel file (OMPF), and the copy of your █ Driver's License submitted to support your request.

After thorough review, the Board concluded that the evidence you provided is insufficient to warrant relief. Specifically, the Board determined that a legible copy or verification of your birth certificate is required to determine whether an error with your DOB exists in your record. You

are encouraged to submit another DD Form 149 with the requested supporting evidence to allow the Board to properly adjudicate your request. Accordingly, 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 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,

12/21/2022

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Executive Director
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