



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

[REDACTED]
Docket No. 8511-22

Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER [REDACTED],
USN, XXX-XX-[REDACTED]

Ref: (a) 10 U.S.C. § 1552

Encl: (1) DD Form 149 w/ enclosures

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 first name be corrected in his discharge certificate. Enclosure (1) applies.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error and injustice on 27 January 2023, 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 Petitioner's naval record, applicable statutes, regulations, and policies, to include the references.

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. Although Petitioner's 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 the case on its merits.

b. Petitioner enlisted in the Navy Reserve in 1952. His application for reserve enlistment and the verification of his date and place of birth identify him as [REDACTED] wherein his first name is spelled with an [REDACTED] in the second syllable. Likewise, the name in his enlistment contract identifies a first name of [REDACTED] with an "[REDACTED]"

c. Petitioner was recalled to active duty on 3 August 1956 and served until 12 July 1958, when he was discharged to the Navy Reserve. At the time of his Certificate of Release or Discharge from Active Duty (DD Form 214), the Personal Data recorded in block 1 for his first name was entered as [REDACTED] with an "[REDACTED]" vice [REDACTED] with an "[REDACTED]"

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d. Petitioner, now deceased, contends through his dependent child that the correct spelling of his first name in his record of discharge record should be corrected to read [REDACTED]

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concluded that Petitioner's request warrants favorable action in the form of relief.

The Board observed that Petitioner's first name at the time of his entry and verification of biographical data was recorded as [REDACTED] and that this name was consistently used throughout his service records until the entry of [REDACTED] at the time he was discharged from active duty. The Board found that the entry of [REDACTED] in the second syllable of Petitioner's name in his DD Form 214 constitutes clear error and merits correction.

In view of the foregoing, the Board finds the existence of an error warranting the following corrective action.

RECOMMENDATION:

That Petitioner be issued a Correction to Certificate of Release or Discharge from Active Duty (DD Form 215) indicating that his Personal Data in block 1, LAST NAME – FIRST NAME – MIDDLE NAME, of his DD Form 214 is [REDACTED]

That no further changes be made to Petitioner's record.

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.

2/15/2023

[REDACTED]

Executive Director

Signed by: [REDACTED]