



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. 9262-22
Ref: Signature Date

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Dear █,

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.

A three-member panel of the Board, sitting in executive session, considered your application on 11 April 2023. 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 naval record and applicable statutes, regulations, and policies.

You requested to correct your rank to Corporal/E-3 vice Lance Corporal/E-3 on your DD Form 214, Armed Forces of the United States Report of Transfer or Discharge dated 30 September 1960. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. However, the Board concluded that in accordance with Marine Corps Order 1223.1, a change to the rank structure that included the rank of Lance Corporal/E-3 became effective 1 August 1960.

A review of your record indicates you entered the Marine Corps on 2 October 1957. On 3 December 1958, you promoted to Corporal/E-3. Subsequently, you were release from active duty and transferred to the Marine Corps Reserve on 30 September 1960 as an E-3 to complete your military service obligation. Thereafter, you discharged from the Marine Corps Reserve on 23 June 1963. The Board determined your active duty discharge occurred after the aforementioned change to the rank structure; therefore, the rank of Lance Corporal/E-3 annotated on your DD Form 214 is correct and does not warrant a correction.

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,

4/18/2023

