



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

■  
Docket No. 1301-23  
Ref: Signature Date

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.

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 23 March 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.


The Board carefully considered your request to update your Certificate of Release or Discharge from Active Duty (DD Form 214) to reflect your promotion to Major with your total service time of 12 years and to correct the information for the "nearest relative" in block 19b. The Board noted you did not provide a response in block 15 of the DD Form 149 as to why the correction should be made but considered your statement in block 13 that you "never received an updated [DD Form 214].

The Board noted a DD Form 214 is issued upon release or discharge from active duty, and at the time of your discharge, on 1 July 2017, you were a Captain who had served ten years, ten months, and seven days on active duty. As reflected in MARADMIN 473-18, you were promoted to Major in the Marine Corps Reserve on 1 September 2018, more than a year after release from active duty. Based on the available evidence, the Board concluded there was insufficient evidence of an error or injustice to warrant updating your rank or time in service or correcting your original address. 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,

4/14/2023

  
Executive Director  
Signed by: 