



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

██████████
Docket No. 1583-23

Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER ██████████,
USN, XXX-XX-██████████

Ref: (a) 10 U.S.C. §1552
(b) BUPERSINST 1900.8, 28 Jun 1993

Encl: (1) DD Form 149 with attachments
(2) Case Summary

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 naval record be corrected by issuing a Certificate of Release or Discharge from Active Duty (DD Form 214) to reflect his Honorable period of serving ending on 15 April 1998.

2. The Board, consisting of ██████████, ██████████, and ██████████ reviewed Petitioner's allegations of error and injustice on 7 April 2023 and pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. 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.

3. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. Although enclosure (1) was not filed in a timely manner, it is in the interest of justice to review the application on its merits. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds as follows:

a. Petitioner enlisted in the Navy and began a period of active duty on 18 March 1996. Petitioner's Official Military Personnel File document that, on 15 April 1998, Petitioner reenlisted in the Navy for four years. On 18 May 1999, Petitioner received non-judicial punishment for malingering. Apparently, shortly afterwards, Petitioner was notified of administrative separation processing for commission of a serious offense. While some of his administrative separation documents are missing from his record, on 10 November 1999, the separation authority approved and directed Petitioner's separation with an Other Than Honorable character of service by reason of misconduct due to the commission of a serious offense. His DD Form 214 documents that, on 15 November 1999, Petitioner was discharged as directed.

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USN, XXX-XX-[REDACTED]

b. Petitioner's DD Form 214 does not include his period of Honorable service from 18 March 1996 to 14 April 1998. Per reference (b), Block 18 should indicate Petitioner's periods of honorable service.

CONCLUSION

Upon review and consideration of all the evidence of record, Petitioner's record warrants partial relief. As previously discussed, the Board determined Petitioner's DD Form 214 contains an administrative error. Specifically, Petitioner's DD Form 214 does not indicate his period of Honorable service from 18 March 1996 to 14 April 1998. Accordingly, the Board determined his record should be corrected to reflect this period of Honorable service.

Notwithstanding the Board's determination that an error exists with Petitioner's record, the Board determined a new DD Form 214 is not warranted, and the error may be adequately addressed through the issuance of a DD Form 215.

RECOMMENDATION

In view of the above, the Board directs the following corrective action:

Petitioner be issued a Correction to DD Form 214, Certificate of Release or Discharge from Active Duty (DD Form 215), indicating in Block 18:

"Continuous Honorable service from 18 March 1996 to 14 April 1998."

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

That 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.

4/21/2023

[REDACTED]

Deputy Director

Signed by: [REDACTED]