



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

█
Docket No. 2139-23
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.

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 case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 4 May 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.

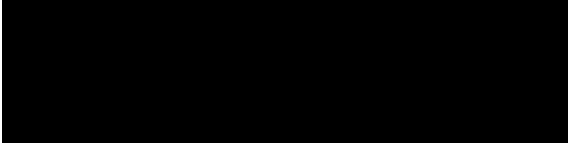
You requested that your DD Form 214, Certificate of Release, or Discharge from Active Duty ending on 7 January 1994 reflect the awarding of the Southwest Asia Service Medal, participation in █, and rank of Machinist Mate Third Class (MM3)/E-4. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. The Board concluded that your effective date of advancement to MM3/E-4 was 16 January 1994, which was after your 7 January 1994 release from active duty. Therefore, correction to your active duty DD Form 214 is not warranted. Furthermore, the Board noted that a DD Form 214 is only issued for active duty service, thus your grade of E3 reflects the proper grade at the time your DD Form 214 was issued.

Regarding the awarding of the Southwest Asia Service Medal and participation in █, the Board may only correct service records based on errors or injustices and may do so only after other avenues of administrative relief have been exhausted. For assistance with the aforementioned, you may contact My Navy Career Center (PERS-313) via phone at (833) 330-6622 or email: askmnc@navy.mil.

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,

5/19/2023



Deputy Director

Signed by: █