



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

██████████  
Docket No. 6461-23  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD ICO FORMER MEMBER ██████████  
██████████ USMC

Ref: (a) Title 10 U.S.C. § 1552  
(b) MCO P1400.29B

Encl: (1) DD Form 149 w/attachments  
(2) Subject's naval record

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 to reflect date of birth as ██████████ and rank as Sergeant/E-5 on DD Form 214, Certificate of Release or Discharge from Active Duty ending on 21 September 1991.

2. The Board, consisting of ██████████, ██████████, and ██████████ reviewed Petitioner's allegations of error and injustice on 17 October 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 the enclosures, relevant portions of Petitioner's naval record, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, found that, before applying to this Board, he exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board made the following findings:

a. On 10 October 1986, Petitioner enlisted in the Marine Corps Reserve for 8 years of which 4 years was an active duty obligation. Petitioner's enlistment documents indicate date of birth as ██████████.

b. On 22 September 1987, Petitioner entered active duty and was promoted to Corporal/E-4 on 1 April 1991.

c. On 21 September 1991, Petitioner was released from active duty and transferred to the Marine Corps Reserve-Individual Ready Reserve to complete military service obligation; DD Form 214 reflects rank as Corporal/E-4 and date of birth as ██████████.

d. On 9 October 1994, Petitioner discharged from Marine Corps Reserve.

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[REDACTED] USMC

## CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting the following corrective action. The Board concluded that Petitioner's DD Form 214 incorrectly reflecting date of birth as [REDACTED]. However, the Board determined Petitioner did not meet the time in grade requirement for promotion to Sergeant/E-5 in accordance with reference (b).<sup>1</sup> Additionally, the Board could not find, nor did Petitioner provide evidence of promoting to Sergeant/E-5. Therefore, the Board determined that under these circumstances, partial relief is warranted.

## RECOMMENDATION

That Petitioner's naval record be corrected, where appropriate, to show that:

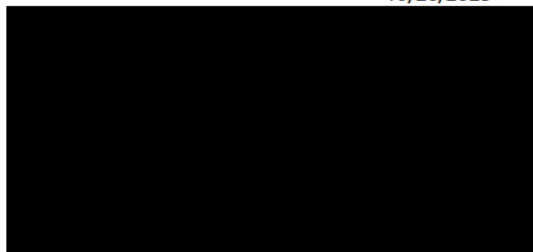
Petitioner's DD Form 214, Certificate of Discharge or Release from Active Duty ending on 21 September 1991 is amended to reflect Block 5 (Date of Birth) "[REDACTED]" vice "[REDACTED]." Note: Headquarters, U.S. Marine Corps will issue a DD Form 215 or a new DD Form 214 whichever one they deem appropriate.

The part of Petitioner's request for corrective action that exceeds the foregoing is denied in accordance with reference (b).

A copy of this Report of Proceedings will 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 Regulations, 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 the reference, has been approved by the Board on behalf of the Secretary of the Navy.

10/26/2023



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<sup>1</sup> Reference (b), promotion to Sergeant/E-5 requires a minimum time in grade of 12 months and the minimum time in service of 24 months.