



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

█  
Docket No. 8370-23  
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 14 December 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 correction to your DD Form 214, Armed Forces of the United States Report of Transfer or Discharge dated 23 January 1959 to reflect Sergeant/E-4 vice Acting Sergeant/E-4. 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 historical records indicate that effective 1 January 1959, the Commandant of the Marine Corps changed the rank structure. As such the rank of Sergeant/E-4 were reclassified as Acting Sergeant/E-4. The prefix "Acting," was established so that all Marines would be able to retain their existing titles, insignia, and privileges. Upon promotion, they would assume the new rank titles. On 1 August of 1960, Lance Corporal/E-3 was added to the rank structure and all E-4 Marines became Corporals and E-5 Marines became Sergeants. Therefore, the Board determined a change to your DD Form 214 is not warranted.

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,

12/20/2023

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Deputy Director

Signed by: █