



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

[REDACTED]
Docket No. 5508-17

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

Subj: REVIEW NAVAL RECORD OF FORMER MEMBER [REDACTED] USMC,
XXX-XX [REDACTED]

Ref: (a) Title 10 U.S.C. 1552
(b) SECNAVINST 5420.193 Series

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

1. Pursuant to the provisions of references (a) and (b), Petitioner, filed enclosure (1) with this Board requesting a change to Petitioner's naval record, specifically, to correct the record to reflect the date of birth as shown in the Petitioner's Birth Registration. Enclosures (1) and (2) apply.

2. The Board consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 21 July 2017, 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, naval records, 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, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Although enclosure (1) was not filed in a timely manner, it is in the interest of justice to waive the statute limitation and review the application on its merits.

c. Petitioner enlisted in the Marine Corps and began a period of active duty on 20 September 1949. At the time of his enlistment, he listed his date of birth as [REDACTED]

d. Petitioner was released from active duty on 23 March 1952, with an honorable characterization of service at the expiration of his obligated service. He received a Report of Separation from the Armed Forces of the United States (DD Form 214) which indicated his date of birth as [REDACTED]

[REDACTED]

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e. Petitioner submitted a copy of his notification of birth registration and passport indicating his date of birth as [REDACTED]

CONCLUSION

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request warrants favorable action. The Board notes that by indicating he was born in 1932, he met the minimum age requirement to enlist of 17. The Petitioner has provided the legal evidence necessary to support his request, and as such, his record should be corrected.

In view of the foregoing, the Board finds the existence of an error warranting the following corrective action.

RECOMMENDATION:

That Petitioner's naval record, specifically, Block 10 of the DD Form 214, be corrected to reflect the date of birth as [REDACTED]

That Petitioner be issued a DD Form 215, Correction to DD Form 214 - Certificate of Release or Discharge from Active duty.

That no further changes be made to the record.

That a copy of this report of proceedings be filed in Petitioner's naval record.

That upon request, the Department of Veterans Affairs be informed that Petitioner's application was received on 21 June 2017.

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.

[REDACTED]
Recorder

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 reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

[REDACTED]
Executive Director