



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

[REDACTED]  
Docket No: 6109-17  
JAN 03 2018

[REDACTED]  
Dear [REDACTED]

This is in reference to your application for correction of your naval record pursuant to the provisions of Title 10, United States Code, §1552.

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 application on its merits. A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 12 December 2017. 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. Additionally, the Board considered the advisory opinion (AO) provided by Navy Personnel Command (PERS 803) dated 10 October 2017, a copy of which was previously sent to you. See enclosure.

You enlisted in the Navy and began a period of active duty on 16 October 1944. On 5 July 1946, you were discharged as a Seaman, First Class (S1c) from active duty with an honorable characterization of service.

After careful and conscientious consideration of the entire record, the Board found the evidence submitted was insufficient to establish the existence of probable material error or injustice warranting the correction of your rank at the time of discharge on your Certificate of Discharge or Release from Active Duty (DD Form 214). The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors and your desire to have your DD Form 214 corrected to reflect your advancement to Radarman, Third Class (R3c). The Board considered your contention that you were promoted to R3c while at sea and had been paid as a R3c for ten months prior to your discharge. The Board substantially concurred with the AO. Specifically, the Board determined your record did not contain documentation to substantiate your selection or advancement to R3c. Accordingly, your application has been denied.

It is regretted that the circumstances of your case are such that favorable action cannot be taken at this time. You are entitled to have the Board reconsider its decision upon the submission of new and material evidence. New evidence is evidence not previously 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,

[REDACTED]  
Executive Director