



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

[REDACTED]
Docket No. 6215-17
SEP 26 2017

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

Subj: REVIEW NAVAL RECORD OF [REDACTED] (DECEASED),
USN [REDACTED]

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

Encl: (1) DD Form 149
(2) Case summary
(3) City of [REDACTED] Health Department Certificate of Birth

1. Pursuant to the provisions of references (a) and (b), Petitioner filed enclosure (1) with this Board requesting a change to her late father's naval record, specifically, to correct the date of birth as shown on his Notice of Separation from U.S. Naval Service (NAVPERS 533). Enclosures (1) through (3) apply.

2. The Board, consisting of [REDACTED] reviewed Petitioner's allegations of error and injustice on 16 August 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's father enlisted in the Navy and began a period of active duty on 14 October 1943. He was honorably discharged from active duty on 1 January 1946, at the expiration of his active obligated service.

d. At the time of Petitioner's father's discharge from active duty, he was issued a Notice of Separation from U.S. Naval Service (NAVPERS 533) which incorrectly reflects his date of birth as [REDACTED]

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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 Petitioner has provided legal evidence, City of [REDACTED] Health Department Certificate of Birth, which reflects the correct date of birth as 21 December 1925 to support her request and, as such, her father's record should be corrected to reflect the correct date of birth. In view of the foregoing, the Board directs the following corrective action. See enclosures (3).

RECOMMENDATION:

That Petitioner's father's naval record, be corrected to reflect his date of birth as [REDACTED] instead of [REDACTED]

That Petitioner be issued a Correction to DD214, Certificate of Release or Discharge from Active Duty (DD Form 215) which reflects her father's corrected date of birth.

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 10 July 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