



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

[REDACTED]  
Docket No: 6691-17  
DEC 9 7 2017

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

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

Ref: (a) 10 U.S.C. §1552

Encl: (1) DD Form 149 (NR20170006691)  
(2) Case summary

1. Pursuant to the provisions of references (a), Petitioner, a former enlisted member of the Marine Corps, filed enclosure (1) with this Board requesting a change to his naval record, specifically, to correct the record to reflect a name change. Enclosures (1) and (2) apply.
2. The Board, consisting of Members [REDACTED], reviewed Petitioner's allegations of error and injustice on 11 September 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, relevant portions of Petitioner's 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 review the application on its merits.
  - c. Petitioner enlisted in the Marine Corps and began a period of active duty on 12 August 2008. Petitioner served until his general discharge on 22 December 2009, on the basis of Secretarial Authority.
  - d. Petitioner was issued a Certificate of Release or Discharge from Active Duty (DD Form 214) that reflects his birth name of [REDACTED]

e. In his application for correction, Petitioner asks that his DD Form 214 be changed to reflect his legal name of [REDACTED]. Since his discharge from active duty, Petitioner has legally changed his name from "[REDACTED]" to "[REDACTED]". Petitioner provides a 9 March 2017 Court Order from the Circuit Court in the [REDACTED] Judicial District, [REDACTED] County, [REDACTED], effectuating the name change, and a copy of his Social Security Card and driver's license reflecting the name [REDACTED].

f. 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 to support his request, and as such, his record should be corrected to reflect his legal name of [REDACTED].

**CONCLUSION:**

In accordance with the foregoing, the Board concludes that Petitioner's DD Form 214 should be changed to reflect Petitioner's legal name of [REDACTED] and that Petitioner be reissued a new and updated DD Form 214.

In this regard, the Board noted that normally a DD Form 215 would be issued to correct the record, however, the Board concluded that a new and updated DD Form 214 is warranted to eliminate the possibilities of invasive questions. The Board further concluded that no other changes should be made to Petitioner's record and that both the previously issued DD Form 214 bearing the name of [REDACTED] and the new DD Form 214 bearing the name [REDACTED] should remain in the record for historical purposes.

**RECOMMENDATION:**

That Petitioner's naval record, specifically, Block 1 of the DD Form 214, be corrected to reflect the name [REDACTED]. That Petitioner be issued a new DD Form 214 which reflects the name [REDACTED]. That no further changes be made to the record.


That a copy of this report of proceedings be filed in Petitioner's naval record, along with the previously issued DD Form 214 which reflects the name [REDACTED] and the updated DD Form 214 which reflects the name [REDACTED].

That upon request, the Department of Veterans Affairs be informed that Petitioner's application was received on 8 August 2017.

4. Pursuant to Section 6(c) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(c)), 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.

  
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 Regulation, 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.

  
Executive Director