



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

█
Docket No. 9567-23
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 18 April 2024. 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. In addition, the Board considered the advisory opinion contained in Navy Personnel Command memorandum 1900 PERS-312/SA of 7 February 2024, which was previously provided to you for comment.

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

You requested that your name be corrected to reflect "█." on your DD Form 214N, Report of Separation from Active Duty ending 5 March 1976. Additionally, you requested that your record reflect an enlistment date of 18 December 1974. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. Navy Personnel Command (PERS-312) has advised the Board that a DD Form 215, Correction of DD Form 214 will be issued to correct your name. You may request a copy of the DD Form 215 by submitting a request online at

<https://www.archives.gov/veterans/military-service-records> or submitting an SF-180, Request Pertaining to Military Record to National Personnel Records Center.

Concerning your enlistment date, a review of your record indicates your initial enlistment was in the Naval Reserve on 21 March 1975 for 6 years. However, you were discharged from the Naval Reserve on 24 June 1975 to execute an enlistment in the active duty Navy on 25 June 1975 for 4 years. On 5 March 1976 you were discharge under honorable conditions and issued a DD Form 214N reflecting your active duty service and prior inactive duty service. On 20 October 2014, you were issued a DD Form 215 correcting your date of birth from "21 March 1975" to "10 November 1957." Therefore, in this connection, the Board substantially concurred with the comments contained in the advisory opinion and agreed a change to your record is not warranted regarding your enlistment date.

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,

4/22/2024

