



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

█
Docket No. 9718-23
Ref: Signature Date

█
█
█

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 23 May 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 Headquarters, U.S. Marine Corps letter 1000 MMPB-21 of 28 March 2024, which was previously provided to you for comment.

On 5 March 1984, you enlisted in the U.S. Marine Corps Reserve for 6 years with an Expiration of Obligated Service of 4 March 1990.

You were released from active duty and transferred to the Fleet Marine Corps Reserve with an honorable character of service and was issued a Certificate of Release or Discharge from Active Duty (DD Form 214) for the period of 19 March 1984 to 4 December 1984 upon completion of required active service.

From 5 March 1984 to 4 March 1987, you completed 3 satisfactory years in the U.S. Marine Corps Reserve. On 5 March 1987, you were administratively discharged with a Under Other Than Honorable Conditions characterization of service. Separation Authority: MARCORSEPMAN, Para. 6210.5. Separation Code: HKK1- Misconduct (Drug Abuse). Reenlistment Code: RE-3B.

You requested to correct your DD Form 214 to show that block 12 b. lists 20 May 1987 vice 4 December 1984, the Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors, to include your assertions. However, the Board concluded that in accordance with MCO P1900.16C¹ a DD Form 214 is issued at the time of separation from a period of active duty. You commenced your initial tour of active duty for training on 19 March 1984 and were released from active duty on 4 December 1984, and were issued a DD Form 214. You completed 3 years of qualifying service as a reservist, however you were discharged from a reserve status and a DD Form 214 is not issued in such cases. The Board determined that your DD Form 214 ending on 4 December 1984 is correct. In this connection, the Board substantially concurred with the comments contained in the advisory opinion.

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,

6/6/2024



¹ In accordance with MCO P1900.16C of 21 March 1984, prepare and physically deliver a DD Form 214 to Marines upon release from active service. Except as provided in paragraph 1202.3, a DD Form 214 will be furnished to each Marine at the time of separation from a period of active duty. This includes separation from a period of actual or apparent (de jure or de facto) service as well as release from an enlistment that is void by minority.