

DEPARTMENT OF THE NAVY

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

> Docket No. 2853-24 Ref: Signature Date



Dear Petitioner:

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 application on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 20 November 2024. The names and votes of the panel members 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 the 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.

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 enlisted in the Navy Reserve on 19 September 2000 for a period of eight years. On 18 September 2008, at the expiration of your obligated service in the Navy Reserve, you were discharged with an Honorable characterization of service.

In your current application, you request to be issued a Certificate of Release or Discharge from Active Duty (DD Form 214-1). The Board considered your contention that there was an administrative error with you not being issued a DD Form 214-1. For purposes of equity consideration, the Board considered the supporting documentation you provided in support of your application.

After a detailed review of your record, the Board determined that your official military personnel file (OMPF) does not provide the necessary evidence to substantiate your request for a DD Form 214. Specifically, the issuance of a DD Form 214 is authorized for personnel who have served 90 days or more, or when required by the Secretary concerned for shorter periods, for a period of active duty for training, full-time duty, or active duty for operational support. The Board noted your statement of service and OMPF indicates you did not meet the necessary service requirements to be issued a DD Form 214. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

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.

