



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

█  
Docket No. 2862-24  
Ref: Signature Date

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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 7 June 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, applicable statutes, regulations, and policies. In addition, the Board considered an advisory opinion (AO) provided by Navy Personnel Command (NPC), dated 14 May 2024.

You enlisted in the Navy and began a period of active service on 30 September 1965. You were honorably discharged at the rank of GMMSN/E-3, on 4 October 1968, by reason of release from active duty and transferred to the Naval Reserves. While in the Naval Reserves you were promoted to GMM3/E-4 on 16 November 1969. On 29 September 1971, you were discharged from the Naval Reserve at the expiration of your enlistment.

On 15 May 2024, you were issued a Correction to DD Form 214, Certificate of Release or Discharge from Active Duty (DD Form 215) for your active period of service ending on 4 October 1968, with correction to your social security number (SSN). Therefore, the Board took no action with regard to this aspect of your application.

The Board carefully considered all potentially mitigating factors to determine whether the interests of justice warrant relief in your case. These included, but were not limited to, your desire to change your paygrade on your DD Form 214 to reflect "E-4" and your contention that it is erroneous based on your terminal rank.

After thorough review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board concluded your paygrade listed on your DD Form 214 remains accurate. As explained earlier, you promoted to E-4 after your release from active duty on 4 October 1968. A DD Form 214 is designed to capture your status in the Navy at the time of your release from active duty. Therefore, since you were an E-3 at the time of your release from active duty, your DD Form 214 is correct. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

The Board thanks you for your Honorable and faithful service to this country.

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,

6/28/2024

