



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

█  
Docket No. 4637-24  
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER █  
XXX XX █/█ USMC

Ref: (a) 10 U.S.C. § 1552  
(b) SECDEF memo, "Guidance to Military Discharge Review Boards and Boards for Correction of Military/Naval Records Regarding Equity, Injustice, or Clemency Determinations," of 25 July 2018 (Wilkie Memo).

Encl: (1) DD Form 149 with attachments  
(2) Case summary

1. Pursuant to the provisions of reference (a), Subject, hereinafter referred to as Petitioner, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his discharge characterization be upgraded to Honorable and his first name be corrected on his Certificate of Release or Discharge from Active Duty (DD Form 214). Enclosure (2) applies.

2. The Board, consisting of █, █, and █, reviewed Petitioner's allegations of error and injustice on 20 May 2024 and, pursuant to its regulations, determined 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 his naval service records, and applicable statutes, regulations, policies to include reference (b).

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 10 April 2000. At the time of his enlistment, Petitioner submitted a certificate of birth with his first name listed as "█." On 7 September 2000, Petitioner was counseled concerning his diagnosis of Bilateral PFPS of Right and Left Knee, which hindered his ability to train. Consequently, on

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12 September 2000, Petitioner was notified of the initiation of administrative separation proceedings by reason of a physical condition, not a disability, at which point, he decided to waive his procedural rights. Petitioner's commanding officer recommended that he be administratively separated from the Marine Corps with a General (Under Honorable Conditions) discharge characterization of service by reason of a physical condition, not a disability. On 19 October 2000, Petitioner was discharged with an Uncharacterized characterization of service by reason of a condition, not a disability. He was issued a DD Form 214 with a first name erroneously listed as "[REDACTED]."

d. Petitioner contends he served to the best of his ability, was meritoriously promoted, and was a good Marine with no negative marks. He asserts he did everything he could to serve his country, including trying to reenlist after 9-11.

#### CONCLUSION:

Upon review and consideration of the evidence of record, the Board determined Petitioner's request warrants partial relief. Specifically, the Board noted that Petitioner's first name is spelled incorrectly on DD Form 214 and requires correction.

In regard to the Petitioner's request for a discharge characterization upgrade, the Board noted that Petitioner was appropriately assigned an Uncharacterized discharge characterization. Applicable regulations authorize an Uncharacterized entry level performance and conduct separation if the processing of an individual's separation begins within 180 days of entry into active service. While there is exception to this policy in cases involving misconduct or extraordinary performance, the Board concluded neither exception applied in the Petitioner's case. Therefore, since Petitioner's administrative separation processing was initiated within his first 180 days of active service, the Board concluded that an upgrade to the Petitioner's characterization of service is not warranted.

In view of the above, the Board directs the following corrective action:

#### RECOMMENDATION:

That Petitioner be issued a new DD Form 214 with his name corrected to reflect "[REDACTED]  
[REDACTED]" vice "[REDACTED] [REDACTED]

That no further changes be made to Petitioner's record.

A copy of this report of proceedings be filed in Petitioner's naval record.

4. 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.

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

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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.

6/14/2024

