



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

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Docket No. 5194-24  
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 6 January 2025. 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, and an advisory opinion (AO) provided by the Navy Department Board of Decorations and Medals (NDBDM); dated 7 November 2024. Although you were provided an opportunity to respond to the AO, you chose not to do so.

Regarding your request for a personal appearance, the Board determined that a personal appearance with or without counsel will not materially add to their understanding of the issue(s) 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 and began a period of active duty on 30 September 1954. On 16 May 1957, you received marks of 2.8 for Professional Performance, 2.6 for Military Behavior, 2.6 for Military Appearance, and 2.6 for Adaptability. On 19 March 1958, you received nonjudicial punishment (NJP) for an instance of assault. On 25 November 1958, you were discharged with an Honorable characterization of service by reason of expiration of term of obligated service.

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 for you to be awarded the National Defense Service Medal (NDSM), Navy Occupational Service Medal, Battle "E,"<sup>1</sup> and the Navy Good Conduct Medal (NGCM). You contend that you earned the NDSM while serving in the U.S. Army Reserves during 1954 and the NGCM while serving onboard the ██████████ from 1955 to 1957.

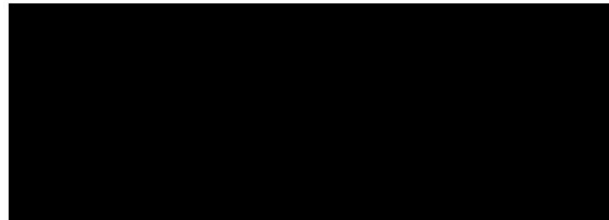
After thorough review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. The Board concurred with the AO that there is no evidence in your record indicating that you are entitled to either the NDSM or the NGCM for your Navy service. First, the Board determined your claim to be awarded the NDSM for your service in the U.S. Army Reserves is outside the statutory authority of this Board. The Board is only authorized to correct Department of Navy military records<sup>2</sup>. Second, the Board determined you failed to meet the minimum trait marks to qualify for the NGCM; specifically, no marks below 3.0 in either Military Behavior or Military Appearance during a 3-year period. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

The Board thanks you for your selfless 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,

1/20/2025



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<sup>1</sup> The Board noted that Navy Personnel Command determined you were entitled to the Navy Occupational Medal and Navy "E" Ribbon on 19 April 2024. A DD Form 215 was issued showing your entitlement to both awards.

<sup>2</sup> The Board recommends you petition the Army Board for Corrections of Military Records for this award