



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

█
Docket No. 6140-24
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF █
XXX XX █ USMC

Ref: (a) 10 U.S.C. §1552

Encl: (1) DD Form 149 with attachments
(2) Case summary
(3) Subject's naval record (excerpts)

1. Pursuant to the provisions of reference (a), Petitioner, a former member of the Marine Corps, filed enclosure (1), stating his rank on his Certificate of Release or Discharge from Active Duty (DD Form 214) should indicate Sergeant (E-5) vs. Corporal (E-4). Enclosures (1) through (3) apply.

2. The Board, consisting of █, █, and █, reviewed Petitioner's allegations of error and injustice on 8 July 2024 and, pursuant to its regulations, determined that the corrective action indicated below should be taken. Documentary material considered by the Board consisted of Petitioner's application together with all material submitted in support thereof, relevant portions of Petitioner's naval record, and applicable statutes, regulations, and policies.

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 service on 28 June 2010. He was honorably discharged on 30 January 2015 and issued a DD Form 214 that reflects his rank/paygrade in Block 4a: "CPL" and Block 4b: "E4," respectively.

e. Petitioner contends that he was promoted prior to discharge, while on terminal leave. He submitted a DD Form 216, Promotion Warrant, signed by his commanding officer, effective

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]
XXX XX [REDACTED] USMC

1 January 2015, indicating he had been promoted to Sergeant (E-5).

CONCLUSION

Upon careful review and consideration of all of the evidence of record, the Board determined that Petitioner's request warrants relief.

The Board noted that Petitioner's DD Form 214 was prepared and signed on 17 December 2014, prior to his promotion to Sergeant on 1 January 2015. The Board further noted that the Petitioner's separation date was 30 January 2015, after the date of his promotion to Sergeant.

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

RECOMMENDATION

That Petitioner be issued a DD Form 215, Correction to DD Form 214, with corrections to Blocks 4a and 4b, indicating his rank/paygrade at discharge was "SGT" and "E5," respectively.

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

That 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 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.

7/25/2024

