



Subj: REVIEW OF NAVAL RECORD OF FORMER [REDACTED]  
[REDACTED] USMCR

recommended to the Commanding Officer, [REDACTED] to demobilize Petitioner. Based on his medical evaluation, the Battalion Surgeon found Petitioner not physically qualified for deployment to Iraq due to his left knee injury. Petitioner was demobilized on 22 September 2004 and ultimately discharged from the USMCR on 14 June 2006. There is no evidence of a DD Form 214 in Petitioner's record documenting this period of active duty.

d. On 19 October 2012, the Department of Veterans Affairs (VA) service-connected Petitioner's left knee injury. However, the VA rejected Petitioner's claim for education benefits due to insufficient evidence of active-duty service after 11 September 2001. In 2018, Petitioner submitted a request to the Board requesting a DD Form 214. The Board denied the request, stating Petitioner had not exhausted all administrative remedies; specifically, requesting a DD-214 from Headquarters Marine Corps.

e. For this request, Petitioner contends he was required to demobilize in 2004 due to his left knee injury. He further argues he served on active duty from 28 June 2004 to 22 September 2004 and rates a DD Form 214. He further contends that he has requested a DD Form 214 from Marine Corps Reserve Affairs, Marine Corps Installation Personnel Administrative Center and the Reserve Medical Entitlement Determination Program, all of which directed him to submit a petition to the Board.

## CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an injustice warranting partial relief. Specifically, the Board noted according to Petitioner's statement of service, Petitioner did serve a period of active duty from 28 June 2004 to 22 September 2004. The Board concluded Petitioner warrants a DD Form 214 for that period of service.

Notwithstanding the recommended corrective action below, the Board concluded the preponderance of the evidence does not support any other relief requested by the Petitioner. Specifically, the Board concluded insufficient evidence of error or injustice exists to mandate a specific narrative reason for separation, as there was insufficient evidence in Petitioner's record to conclude, by the preponderance of the evidence, the reason he was separated from active duty on 22 September 2004.

## RECOMMENDATION

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

Issue Petitioner a Certificate of Release or Discharge from Active Duty (DD Form 214) for his active-duty service from 28 June 2004 to 22 September 2004, with a narrative reason and corresponding Separation Program Designator code as warranted by his record.

Note: Headquarters Marine Corps will correct any other entries affected by the Board's recommendation.

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That a copy of this report of proceedings be filed in Petitioner's naval record.  
That no further changes be made to 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 Regulations, 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 the reference, has been approved by the Board on behalf of the Secretary of the Navy.

11/7/2024

