



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

■
Docket No. 7472-24

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) USECDEF Memo of 25 Jul 18 (Wilkie Memo)

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) requesting his characterization of service be upgraded from General (Under Honorable Conditions) to Honorable on his Certificate of Release or Discharge from Active Duty (DD Form 214). Enclosures (1) through (3) apply.

2. The Board, consisting of ■■■■■, ■■■■■, and ■■■■■, reviewed Petitioner's allegations of error and injustice on 30 September 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, 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 service on 20 September 1949.

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

d. On 16 April 1951, Petitioner was promoted to Corporal (E-3 in 1951). Between 5 June 1951 and 18 June 1952, Petitioner flew in two-hundred-twenty-five transport flights in direct support of National Forces in [REDACTED], for which he received three Air Medals.

e. On 1 June 1953, Petitioner received a temporary promotion to Corporal¹. On 19 August 1952, Petitioner completed his three-hundredth transport flight in direct support of National Forces in [REDACTED], for which he received his fourth Air Medal. On 19 September 1952, Petitioner became eligible for the Good Conduct Medal. Petitioner was discharged as a Private First Class (E-2) with an Honorable characterization of service on 19 December 1952.

f. Petitioner contends he received a General (Under Honorable Conditions) discharge, that he was “broken in rank twice” for fighting, that he flew over three-hundred missions, and was awarded four Air Medals and a Good Conduct Medal. Petitioner provided no advocacy letters or documentation of post-service accomplishments.

CONCLUSION

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

The Board found no evidence of disciplinary actions in Petitioner’s record. However, the Board noted that Petitioner was promoted to Corporal/E-3 twice and was discharged as a Private First Class/E-2, therefore Petitioner’s contention that he was reduced in rank twice is consistent with the record. The Board found no evidence of administrative separations proceedings in the record, neither was there a DD Form 214 from which to determine Petitioner’s reason for separation and characterization of service. However, documentation in the record indicates that Petitioner served his full three-year enlistment and received an Honorable discharge at the expiration of his enlistment, as noted on his Notice of Discontinuation of Allotment and Mustering Out Payment forms.

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

RECOMMENDATION

That Petitioner be issued an Honorable Discharge Certificate and a new DD Form 214, for the period ending 19 December 1952, indicating his character of service as “Honorable,” separation authority as “Paragraph 10258 Marine Corps Manual,” separation code/narrative reason as “202 - Expiration of Enlistment,” and reenlistment code as “RE-1”.

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.

¹ The Board was unable to find a basis in Petitioner’s record why he was temporally promoted to Corporal (E-3) after already being promoted to that rank in April 1951. However, based on Petitioner’s statement of twice getting into trouble fighting and being “broken in rank,” the Board determined it was likely due to his misconduct. Nevertheless, the Board determined the presumption of regularity applies in this instance.

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

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.

10/24/2024

[REDACTED]