



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

■
Docket No. 8882-24
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF ■■■■■■ USN,
■■■■■

Ref: (a) 10 U.S.C. 1552

Encl: (1) DD Form 149
(2) Naval record (excerpts)

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 separation from active-duty date be corrected to reflect "14 January 1977" vice "14 January 1976." Enclosures (1) and (2) apply.

2. The Board, consisting of ■■■■■■, and ■■■■■■, reviewed Petitioner's allegations of error on 8 January 2025 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, applicable statutes, regulations, and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error 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. Although Petitioner's 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 the case on its merits.

b. Petitioner began a period of active duty on 16 January 1973. Petitioner's enlistment contract reflects his term of enlistment as four years.

c. On 16 May 1976, Petitioner was advanced in rank to the paygrade of E-5 (AT2).

d. On 14 January 1977, Petitioner received a physical examination and was found to be physically qualified for release from active duty.

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[REDACTED]

e. At the expiration of Petitioner's active-duty obligated service, he was issued a Report of Separation from Active Duty (DD Form 214N) that annotated his characterization of service as Honorable and erroneously listed his separation date as "14 January 1976."

f. Petitioner contends that his discharge rank was E-5 (AT2) and the record shows that he achieved that rank on 16 May 1976, four months after his supposed discharge date. Additionally, the record shows that his net and total active service period was 3 years, 11 months, 29 days.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes that, given the totality of his circumstances, Petitioner's request warrants relief. Specifically, as noted above, the Board determined an error exists with Petitioner's date of separation on his DD Form 214N and requires correction.

RECOMMENDATION:

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

Petitioner be issued a DD Form 215 correcting the DD Form 214N to show that Petitioner's active-duty separation date was "14 January 1977."

That no further correction action be taken on Petitioner's naval 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.

1/28/2025

[REDACTED]