



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

Docket No. 9037-24

Ref: Signature date

From: Chairman, Board for Correction of Naval Records

To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF [REDACTED],
USN, XXX-XX-[REDACTED]

Ref: (a) Title 10 U.S.C. §1552

Encl: (1) DD Form 149 w/attachments

(2) Case Summary

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 a Certificate of Release or Discharge from Active Duty (DD Form 214) to show her previous period of Honorable service from 9 May 1988 to 17 November 1994.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error and injustice on 4 December 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, 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. 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 enlisted in the Navy and began a period of active duty on 9 May 1988. Petitioner subsequently completed this enlistment with an Honorable characterization of service on 17 November 1994 and immediately reenlisted.

c. On 2 October 1997, Petitioner was convicted by a special court-martial (SPCM) of four specifications of larceny and eight specifications of uttering certain checks with intent to defraud. As punishment, Petitioner was sentenced to confinement, reduction in rank, and a Bad Conduct Discharge (BCD).

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d. Subsequently, the BCD adjudged was approved at all levels of review and, Petitioner was so discharged on 10 November 1998. Petitioner's DD Form 214 did not reflect her previous period of continuous Honorable service.

CONCLUSION

Upon careful review and consideration of all of the evidence of record, the Board determined that Petitioner's request warrants partial relief in the interest of justice. Specifically, as previously discussed, Petitioner has a period of Honorable service from 9 May 1988 to 17 November 1994 that was not properly documented in her DD Form 214 and requires correction.

Notwithstanding the Board's finding that an error exists in Petitioner's DD Form 214, applicable regulations authorize the language "Continuous Honorable Active Service" in Block 18 (Remarks) of the DD Form 214, when a service member has previously reenlisted without being issued a DD Form 214 and was separated with a discharge characterization except "Honorable." As a result, the Board determined insufficient evidence of error or injustice exists to issue Petitioner a separate DD Form 214 for her first enlistment period and recommends that an appropriate change be made to her current DD Form 214 to reflect her continuous Honorable service.

RECOMMENDATION:

In view of the above, the Board recommends that the following corrective action be taken on Petitioner's naval record in the interests of justice:

That Petitioner be issued a DD Form 215, for the period ending 10 November 1998, with correction to the Remarks Section, Block 18, annotating "Continuous Honorable Active Service: "9 May 1988 to 17 November 1994."

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

That a copy of this record of proceedings be filed in Petitioner's naval record.

4. It is certified that 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 reference (a), has been approved by the Board on behalf of the Secretary of the Navy.

