



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

██████████
Docket No. 9653-24
Ref: Signature Date

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Dear Petitioner:

This is in reference to your application for correction of your naval record pursuant to Section 1552 of Title 10, United States Code. After careful and conscientious consideration of relevant portions of your naval record and your application, the Board for Correction of Naval Records (Board) found the evidence submitted insufficient to establish the existence of probable material error or injustice. Consequently, your application has been denied.

Although your 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 your application on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 21 January 2025. The names and votes of the panel members will be furnished upon request. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of the Board. Documentary material considered by the Board consisted of your application together with all material submitted in support thereof, relevant portions of your naval record, applicable statutes, regulations, and policies.

You enlisted in the Navy and began a period of active duty on 26 January 1981. On 11 December 1984, you were honorably discharged by reason of within three months of expiration of enlistment. Upon your discharge, you were issued a Certificate of Release or Discharge from Active Duty (DD Form 214) that documented your period of Honorable service.

You immediately reenlisted and began a second period of active duty service on 12 December 1984. On 19 July 1991, you were again honorably discharged by reason of immediate reenlistment. On 20 July 1991, you began a third period of active duty service. On 18 March 1998, you were again honorably discharged by reason of immediate reenlistment. On 19 March 1998, you began a fourth period of active duty service. On 20 March 2002, you were discharged with an Other Than Honorable (OTH) discharge characterization of service in lieu of trial by court martial. You were issued a DD Form 214 that did not annotate your continuous Honorable service from 12 December 1984 to 18 March 1998.

On 23 March 2003, you were issued a Correction to DD Form 214, Certificate of Release or Discharge from Active Duty (DD Form 215) which reflect an addendum for continuous Honorable active service from "12DEC84 TO 18MAR98."

The Board carefully considered all potentially mitigating factors to determine whether the interests of justice warrant relief in your case in accordance with the Wilkie Memo. These included, but were not limited to, your desire for you to be issued a separate DD Form 214 for your period of continuous Honorable service from 12 December 1984 to 18 March 1998.

After thorough review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined applicable regulations only authorize the issuance of DD form 214 to service members upon separation from active duty or completion of certain qualifying service periods. The Board noted you were accordingly issued a DD Form 214 following the completion of your first period of active duty service. Further, you were issued a second DD Form 214 upon completion of your second period of active duty service. Lastly, you were issued a DD Form 215 with a correction to block 18 to reflect all other periods of continuous Honorable service.

Therefore, the Board determined your record contains no known errors. Even in light of the Wilkie Memo and reviewing the record holistically, the Board did not find evidence of an error or injustice that warrants granting you the relief you requested or granting relief as a matter of clemency or equity. Accordingly, given the totality of the circumstances, the Board determined that your request does not merit relief.

You are entitled to have the Board reconsider its decision upon submission of new matters, which will require you to complete and submit a new DD Form 149. New matters are those not previously presented to or considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

3/6/2025

