

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

> Docket No. 0120-25 Ref: Signature Date

From: Chairman, Board for Correction of Naval Records

- To: Secretary of the Navy
- Subj: REVIEW OF NAVAL RECORD OF XXX XX USMC
- Ref: (a) 10 U.S.C. § 1552
- Encl: (1) DD Form 149 with attachments (2) Case summary

1. Pursuant to the provisions of reference (a), Petitioner, service member's next of kin, filed enclosure (1) with the Board for Correction of Naval Records (Board), requesting that his last name be corrected on his Armed Forces of the United States Report of Transfer or Discharge (DD Form 214). Enclosure (2) applies.

2. The Board, consisting of **Constant of March 2025** and **Constant of Petitioner's** allegations of error and injustice on 10 March 2025 and, pursuant to its regulations, determined the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, relevant portions of her father's naval service records, and 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.

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. Service member originally enlisted in the Navy Reserve and began a period of service on 19 November 1956. On 3 September 1957, Petitioner was honorably discharged by reason of enlistment in the Marine Corps. At the time of his discharge, Petitioner was issued a copy of NAVPERS-1267 with his last name reflecting as a contract." On 4 September 1957, Petitioner enlisted in the Marine Corps and signed an enlistment contract with his last name reflecting as a contract. "On 2 September 1960, was honorably discharged by reason of convenience of the government. At the time of his discharge, Petitioner received and signed a DD Form 214 with his last name reflecting as a contract."

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d. Petitioner is requesting a correction to service member's last name in order to qualify for burial entitlements. In support of her request, Petitioner provided various government documents that annotate service member's last name as "

## CONCLUSION:

Upon review and consideration of the evidence of record, the Board determined Petitioner's request warrants relief. Specifically, the Board noted service member's last name on his DD Form 214 does not reflect his legal name and requires correction.

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

## **RECOMMENDATION:**

That Petitioner be issued a Correction to Certificate of Release or Discharge from Active Duty (DD Form 215), for the period ending 2 September 1960, correcting Box 1 to reflect his last name as "

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

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.

3/31/2025

