

## **DEPARTMENT OF THE NAVY**

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

> Docket No. 1999-25 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

Encl: (1) DD Form 149 with 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 reissuance of his Certificate of Release or Discharge from Active Duty (DD Form 214). Enclosure (2) applies.
- 2. The Board, consisting of \_\_\_\_\_\_, and \_\_\_\_\_, and \_\_\_\_\_, reviewed Petitioner's allegations of error and injustice on 25 August 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 his naval service records, and applicable statutes, regulations, 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 active duty on 20 October 1998. On 27 September 2000, Petitioner was notified of the initiation of administrative separation proceedings by reason of weight control failure, at which point, he decided to waive his rights. Ultimately, the separation authority approved and ordered that Petitioner be administratively separated from the Marine Corps with a General (Under Honorable Conditions) discharge characterization by reason of unsatisfactory performance. On 1 December 2000, Petitioner was so discharged.

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d. Petitioner contends he lost his DD Form 214 and there is no copy available at the repository located in Saint Louis, MO. CONCLUSION:

Upon review and consideration of the evidence of record, the Board determined Petitioner's request warrants relief. Specifically, the Board determined it is in the interests of justice to reissue Petitioner DD Form 214 since a copy of his original is not in his record. Thus, the Board recommends that Headquarters, U.S. Marine Corps review the Petitioner's OMPF and reissue a DD Form 214.

## RECOMMENDATION:

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

That Petitioner be issued a new "Certificate of Release or Discharge from Active Duty" (DD Form 214), for the period ending 1 December 2000, consistent with his existing service record.

That no 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.

