



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

701 S. COURTHOUSE RD

ARLINGTON, VA 22204

[REDACTED] Docket No. 3405-25

Ref: Signature Date

[REDACTED]
[REDACTED]
[REDACTED]

Dear [REDACTED]

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 case on its merits. A three-member panel of the Board, sitting in executive session, considered your application on 18 November 2025. The names and votes of the members of the panel 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 this 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 and applicable statutes, regulations, and policies. In addition, the Board considered the advisory opinion contained in Headquarters, U.S. Marine Corps (HQMC) memorandum 1400/3 MMPB-11 of 7 April 2025, which was previously provided to you for comment.

The Board determined that your personal appearance, with or without counsel, would not materially add to their understanding of the issues involved. Therefore, the Board determined that a personal appearance was not necessary and considered your case based on the evidence of record.

On 20 January 2006, you enlisted in the U.S. Marine Corps Reserve for 8 years with an end of obligated service of 19 January 2014. On 20 June 2008, you were subject to a Non-Judicial Punishment for violation of Article 134. Final disposition taken was reduction to Lance Corporal/E-3. On 30 March 2010, Marine Corps Institute certified that you met all the requirements and successfully completed the curriculum prescribed for Sergeants Distance Education Program. On 8 November 2010, Commanding Officer, [REDACTED] [REDACTED] notified you that “[y]our request for early release is approved effective 12 January 2011. Effective 1201, on 3 December 2010, you will proceed on (40.0) days of terminal leave

while awaiting honorable release from active duty at 2359, 12 January 2011." Furthermore, you were addressed as Corporal. You were released from active duty and transferred to the Naval Reserve with an Honorable character of service and were issued a Certificate of Release or Discharge from Active Duty (DD Form 214) for the period of 13 February 2006 to 12 January 2011 upon reduction in Force. Furthermore, block 4a (Grade, rate or rank) listed Corporal, block 4b (Pay grade) listed E-4, and block 12i (Effective date of pay grade) listed 1 October 2009.

On 1 April 2011, you were promoted to Sergeant/E-5 while in the Individual Ready Reserve.

On 12 March 2016, Headquarters, U.S. Marine Corps notified you that "[p]er regulation, only those promotions issued during or prior to the period of the service shown on the DD Form 214 are listed in item 4a of the DD Form 214. A review of your service records indicates that your date of rank to Sergeant was April 1, 2011, after you were already a member of the Individual Ready Reserve. Therefore, no correction is necessary to the DD Form 214 for the period ending on January 12, 2011."

You requested to correct your rank to Sergeant on your DD Form 214. The Board, in its review of your entire record and application, carefully weighed all potentially mitigating factors to include your assertions. You assert that "I picked up Sergeant before EAS. I am requesting correction based on promotion prior to discharge." However, the Board concluded that you were released from active duty on 12 January 2011, and your rank was listed as Corporal on your DD Form 214. In accordance with the HQMC letter of 12 March 2016, you were promoted to Sergeant on 1 April 2011 while in the Individual Ready Reserve. The Board could not find, nor did you provide evidence that you were promoted to Sergeant prior to your release from active duty. The DD Form 214 is issued to reflect service on active duty, therefore the Board determined that a change to your record is not warranted. In this connection, the Board substantially concurred with the comments contained in the aforementioned advisory opinion.

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,

11/24/2025

[REDACTED]