



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
701 S. COURTHOUSE RD  
ARLINGTON, VA 22204

█  
Docket No. 3757-25  
Ref: Signature Date

From: Chairman, Board for Correction of Naval Records  
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF FORMER MEMBER █, USN,  
XXX-XX-█

Ref: (a) 10 U.S.C. § 1552

Encl: (1) DD Form 149 w/enclosures  
(2) NAVPERS 1070/607 Court Memorandum, 6 Sep 22  
(3) Evaluation Report and Counseling Record, 30 Jan 23 to 2 Jun 23  
(4) DD Form 214, 1 Jun 23  
(5) Account Statement Continuation Page  
(6) NAVPERS 1626/7 Report and Disposition of Offense(s), 6 Sep 22

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 (the Board), requesting that his naval record be corrected by changing his rank from E-2 to E-3 and payment of any related backpay. Petitioner also request to resolve the debt he incurred after separation.

2. The Board, consisting of █, █ and █ reviewed Petitioner's allegations of error and injustice on 10 December 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 Petitioner's naval records, and applicable statutes, regulations, and policies.

3. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice finds the following:

a. On 6 September 2022, Petitioner received nonjudicial punishment (NJP) for violating Uniform Code of Military Justice (UCMJ) Article 92. Petitioner was awarded oral reprimand, restriction for 60 days, forfeiture of one-half months' pay per month for two months and reduction in rate to E-2. According to enclosure (2) forfeiture of \$200 pay per month for two months was suspended for six months. Enclosure (2).

b. On 2 June 2023, Petitioner was issued a Detachment of Individual/Regular evaluation report for the reporting period 30 January 2023 to 2 June 2023. Block 2 notes Petitioner's rate as "█". The Reporting Senior (RS) commented that the report was submitted upon Petitioner's separation from active duty. Enclosure (3).

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c. On 2 June 2023, Petitioner was discharged from active duty with an honorable characterization of service and narrative reason, Condition, Not a Disability. Enclosure (4).

d. According to enclosure (5), Petitioner incurred debt due to payment received after he entered a no pay status due to separation as of 2 June 2023. Specifically, a mid-month payment of \$1,839.41 on 15 June 2023. Due to the date of his separation, he was only entitled to two days of pay. Petitioner also incurred debt due to an end of month payment of \$923.16 dated 30 June 2023 and mid-month payment of \$892.80 dated 15 July 2023. Additionally, debt was incurred due to his reduction in rate from E-3 to E-2 that was not fully collected prior to his separation. Enclosure (5).

e. In his application, Petitioner contends the debt is completely unjust. He provided multiple documents proving that he was erroneously reduced in rank, and this mistake was acknowledged multiple times in supporting documents. Petitioner claims that he contacted legal and they acknowledged the mistake. As evidence, Petitioner provided enclosure (6).

Enclosure (6) documents Petitioner's 6 September 2022 NJP for wrongfully consuming alcohol while under the age of 21. Under "Action of Commanding Officer" it indicates that the Commanding Officer awarded Petitioner an oral reprimand, restriction for 60 days, forfeiture of one-half months' pay per month for two months and reduction to the next inferior rate. According to enclosure (2) Petitioner's punishment was suspended for six months except for \$200 pay per month for two months (\$400). Enclosure (1).

## CONCLUSION

Upon review and consideration of all the evidence of record, the Board finds the existence of an error warranting relief. The Board determined Petitioner's contention regarding his reduction in rate has merit. The Board carefully considered enclosures (2) and (6) and found conflict between the way in which Petitioner's punishment was documented. Considering the evidence provided by Petitioner and enclosure (3) which reflects Petitioner's rate as an E-3, the Board decided in favor of Petitioner. The Board reasoned that the Commanding Officer's intent was to suspend all of Petitioner's punishment "except" \$200 pay per month for two months (\$400). The Board also determined that enclosure (2) failed to accurately capture the Commanding Officer's intent.

## RECOMMENDATION

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

Petitioner's naval record be corrected to reflect that he was not reduced in rank.

Petitioner's naval record be corrected to reflect that all awarded punishment was suspended except for \$200 pay per month for two months (\$400).

Navy Personnel Command will issue a DD Form 215 or a new DD Form 214, whichever one they deem appropriate, that reflects the Board's corrective action (i.e., correct blocks 4.a

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GRADE, RATE OR RANK, 4.b PAY GRADE, and 12.i EFFECTIVE DATE OF PAY GRADE).

Enclosure (6) will be added to Petitioner's naval record.

Note: The Defense Finance and Accounting Service will complete an audit of Petitioner's pay records to determine amounts due, if any.

A copy of this report of proceedings will 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.

1/5/2026

