



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

██████████
Docket No. 4275-25
Ref: Signature Date

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Dear ██████████

This is in reference to your application for correction of your uncle's 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 25 August 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 30 January 1974. On 22 February 1976, you were honorably discharged by reason of released from active duty and transferred to the Navy Reserves. On 11 December 1979, you enlisted in the Marine Corps Reserves and began a second period of active duty. On 16 December 1982, you were honorably discharged from the Marine Corps Reserves by reason of expiration of enlistment. On 30 January 2013, you were issued a Correction to DD Form 214, Certificate of Release or Discharge from Active Duty (DD Form 215) with a correction to block 15 reflecting "30 January 1974" as your date of entry.

The Board carefully considered all potentially mitigating factors to determine whether the interests of justice warrant relief in your case. These included, but were not limited to, your desire for a correction of your date of entry on your Certificate of Released or Discharge from Active Duty (DD Form 214). You contend that your date of entry should be 29 January 1974.

After thorough review, the Board concluded these potentially mitigating factors were insufficient to warrant relief. Specifically, the Board determined that you have already been issued a DD

Form 215 reflecting a correction to your date on entry for your first period of active duty. The Board was unable to find any evidence to support your contention that your date of entry was 29 January 1974. In reviewing your record, the Board noted your abstract of service and medical history lists your start date as "Jan 29 1974." However, your enlistment contract annotates your date of military obligation as "75 01 30." Since your enlistment and obligation of service cannot legally commence until your enlistment contract is signed, the Board determined the date of the enlistment contract is your correct service entry date. Additionally, the Board noted your enlistment contract date is bolstered by an administrative remark in your record, dated 30 January 1974, which documents you received a waiver for disqualifying factors. Therefore, absent substantial evidence to the contrary, the Board determined the presumption of regularity applies to your enlistment contract date. 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,

9/12/2025

