



Docket No. 7288-25
Ref: Signature Date

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

Subj: REVIEW OF NAVAL RECORD OF
XXX XX [REDACTED] USMC

Ref: (a) 10 U.S.C. § 1552
(b) USECDEF Memo of 25 July 2018 (Wilkie Memo)

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 that his record be corrected so that his current Certificate of Release or Discharge from Active Duty (DD Form 214) be bifurcated into two separate DD Form 214s documenting his two separate enlistment periods.

2. The Board, consisting of [REDACTED], [REDACTED], and [REDACTED], reviewed Petitioner's allegations of error and injustice on 10 April 2026 and, pursuant to its regulations, determined that the corrective action indicated below should be taken. Documentary material considered by the Board consisted of Petitioner's application together with all material submitted in support thereof, relevant portions of Petitioner's naval record, and applicable statutes, regulations, and 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 interests of justice to review the application on its merits.

c. The Petitioner enlisted in the U.S. Marine Corps and began a period of active service on 16 June 1987. Petitioner's pre-enlistment physical examination, on 2 April 1987, and self-reported medical history both noted no psychiatric or neurologic conditions or symptoms. However, Petitioner disclosed pre-service marijuana usage on his medical history.

d. On or about 16 June 1990, Petitioner received the Good Conduct Medal.

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e. After a period of continuous Honorable service, Petitioner immediately reenlisted in the U.S. Marine Corps on 25 May 1991. Per Department of Navy policy, Petitioner did not receive a DD Form 214 documenting active duty service up to the date of his immediate reenlistment.

f. On 15 April 1992, Petitioner received non-judicial punishment (NJP) for four (4) separate instances of unauthorized absence (UA) and a DUI on board [REDACTED].

g. On 29 April 1992, Petitioner received a second NJP for two (2) separate UAs and for failing to obey a lawful order.

h. On 6 August 1992, pursuant to his guilty pleas, Petitioner was convicted at a General Court-Martial (GCM) for: (a) the wrongful possession of drug paraphernalia, (b) the wrongful possession of cocaine with the intent to distribute, (c) the wrongful possession of multiple baggies of marijuana with the intent to distribute, (d) failing to obey a lawful order, (e) the wrongful distribution of cocaine, and (f) the wrongful distribution of marijuana and cocaine. The Court sentenced him to a reduction in rank to the lowest enlisted paygrade (E-1), total forfeitures of pay, confinement for eighteen (18) months, and to be discharged from the U.S. Marine Corps with a Dishonorable Discharge (DD).

i. On 4 January 1993, the Convening Authority (CA) approved the GCM sentence as adjudged. On 9 December 1993, the Naval Clemency and Parole Board did not grant Petitioner any clemency. On 11 April 1994, the U.S. Navy-Marine Corps Court of Military Review affirmed the GCM findings and sentence as approved by the CA.

j. Ultimately, upon the completion of GCM appellate review of Petitioner's case, on 13 September 1994, Petitioner was discharged from the Marine Corps with a Dishonorable Discharge and assigned an RE-4 reentry code. At that time, Petitioner was issued a DD Form 214 covering all of his active duty service since 1987. However, the DD Form 214 failed to annotate Petitioner's period of continuous Honorable service from 16 June 1987 to 24 May 1991.

k. In short, Petitioner contended that he served two (2) separate and distinct active duty periods, and not one. Thus, Petitioner argued that he should receive a separate DD Form 214 to document each period of his enlistment: (1) one DD Form 214 to cover the period of time from his original enlistment up until his reenlistment in May 1991, and (b) a second DD Form 214 to cover the time from his May 1991 reenlistment up until his DD in September 1994. Petitioner is making the request, in part, because he is trying to become a U.S. citizen and he stated that the USCIS is requesting proof that his first period of active duty service was Honorable in order to assist in the adjudication of his naturalization application.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concluded that Petitioner's request warrants partial relief. Specifically, as previously discussed, Petitioner's DD Form 214 does not annotate his period of continuous Honorable service and requires correction.

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Notwithstanding the recommended corrective action below, the Board determined no further relief is warranted. The Board is aware that the Department of the Navy no longer issues a separate DD Form 214 to enlisted personnel at the completion of each individual enlistment and instead makes appropriate notations in the Block 18 Remarks section upon their final discharge or retirement from the armed forces reflecting such previous enlistments. While the Board considered Petitioner's desire for a separate DD Form 214 to utilize as part of his immigration processing, the Board determined this was insufficient to support equitable relief. In weighing the mitigation factors in Petitioner's case in accordance with reference (b), the Board determined the Department of the Navy's interest in maintaining consistency in its personnel system outweigh those mitigation factors.

RECOMMENDATION:

In view of the foregoing, the Board finds the existence of material errors warranting the following corrective action.

That Petitioner be issued a "Correction to DD Form 214, Certificate of Release or Discharge from Active Duty" (DD Form 215) for the period ending 13 September 1994, to reflect the following comment added to the Block 18 Remarks section:

"CONTINUOUS HONORABLE SERVICE FROM 16 JUN 1987 TO 24 MAY 1991."

That 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 Regulations, 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.

4/13/2026

