



DEPARTMENT OF THE NAVY
BOARD FOR CORRECTION OF NAVAL RECORDS
2 NAVY ANNEX
WASHINGTON DC 20370-5100

FC
Docket No. 08721-02
21 April 2003

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

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]

Ref: (a) 10 U.S.C. 1552

Encl: (1) Case Summary
(2) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner, a former enlisted member of the Marine Corps, applied to this Board requesting, in effect, that his naval record be corrected by recharacterizing the general discharge issued on 25 October 1945.

2. The Board, consisting of Mr. Pfeiffer, Mr. Zsalman and Mr. McBride, reviewed Petitioner's allegations of error and injustice on 16 April 2003, and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

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. Petitioner enlisted in the Marine Corps on 16 August 1941 at age 17. He served without incident until 11 December 1944, when he was convicted by summary court martial (SCM) of a 22-day period of unauthorized absence, and was sentenced to confinement and forfeitures of pay.

c. On 7 August 1945, Petitioner signed a statement acknowledging that he had been given the opportunity to extend or reenlist in the Marine Corps and did not desire to do so. On 25 October 1945, he was separated with a general discharge.

d. A review of his service record indicates that Petitioner's averages were 4.90 in conduct and 3.76 in proficiency during his enlistment. An average of 3.8 was required for a fully honorable characterization of service.

CONCLUSION:

Upon review and consideration of all the evidence of record, the Board concludes that Petitioner's request warrants favorable action. In this regard, the Board initially notes that he served more than four years with only one SCM, and was offered the opportunity to extend or reenlist in the Marine Corps. Additionally, Petitioner's final conduct average qualified him for an honorable discharge and his proficiency average was just below the minimum required. The Board also notes his excellent service in combat operations during WWII. Therefore, the Board believes that recharacterization to a honorable discharge is warranted.

RECOMMENDATION:

a. That Petitioner's naval record be corrected to show that he was issued a honorable discharge on 25 October 1945 vice the general discharge actually issued on that date.

b. That a copy of this Report of Proceedings be filed in Petitioner's naval record.

c. That, upon request, the Department of Veterans Affairs be informed that Petitioner's application was received by the Board on 3 October 2002.

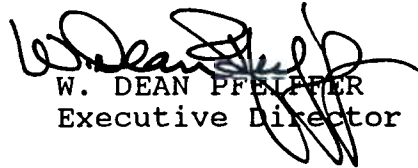
4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder



ALAN E. GOLDSMITH
Acting Recorder

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.



W. DEAN PFEIFFER
Executive Director