

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 27 October 2023

DOCKET NUMBER: AR20230003740

APPLICANT REQUESTS: correction of her DD Forms 214 (Certificate of Release or Discharge from Active Duty) to show her name as "Axxxxx O'xxxxx" vice "Mxxxxxxx Lxx Txxxx/Rxxxxxd" and Social Security Number (SSN) as "[REDACTED]" vice "[REDACTED]"

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:

- DD Form 149 (Application for Correction of Military Record)
- State of New Hampshire Certificate of Name Change
- Social security card
- DA Form 4187 (Personnel Action), 28 October 1994
- State of New Hampshire Judicial Branch Certificate of Change of Name
- DD Form 214, ending on 7 February 1994
- Driver license, social security card and Massachusetts identification card
- DD Form 214, ending on 23 February 1995
- Florida driver license

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code (USC), section 1552(b); however, the Army Board for Correction of Military Records (ABCMR) conducted a substantive review of this case and determined it is in the interest of justice to excuse the applicant's failure to timely file.
2. The applicant states, she went through an identity change and needs to have her DD Form 214 updated to make it easier to update the Veterans Affairs systems when claiming benefits.
3. A review of the applicant's official records shows the following:
  - a. On 28 April 1993, the applicant enlisted in the U.S. Army Reserve. DD Form 4 (Enlistment/Reenlistment Document Armed Forces of the United States), item 1 (Name)

shows "Mxxxxxxx Lxx Txxxx" and item 2 (Social Security Number) shows SSN [REDACTED]

b. On 22 July 1993, the applicant entered active duty for training.

c. On 7 February 1994, the applicant was honorably released from active duty for training. DD Form 214, item 1 (Name (Last, First, Middle)) shows "Mxxxxxxx Lxx Txxxx" and item 3 (Social Security Number) shows "[REDACTED]."

d. The applicant's records are void of her discharge from the USAR.

e. On 15 April 1994, the applicant enlisted in the Regular Army. DD Form 4, item 1 shows "Mxxxxxxx Lxx Txxxx" and item 2 shows SSN "[REDACTED]"

f. On 25 October 1994, DA Form 4187 (Personnel Action) shows the applicant requested a name change due to marriage from "Mxxxxxxx Lxx Txxxx" to " Mxxxxxxx Lxx Rxxxxxx."

g. On 14 March 1995:

(1) DA Form 4187 shows the applicant requested a name change due to being divorced from "Mxxxxxxx Lxx Rxxxxxx" to "Mxxxxxxx Lxx Txxxx."

(2) DD Form 93 (Record of Emergency Data) shows in item 1 (Name (Last, First, Middle)) "Mxxxxxxx Lxx Txxxx" and item 2a (SSN) shows "[REDACTED]"

h. On 23 February 1995, the applicant was honorably released from active duty by reason of pregnancy. DD Form 214, item 1 shows "Mxxxxxxx Lxx Rxxxxxx" and item 3 shows "[REDACTED]"

i. On 6 August 2001, Orders Number 01-218-011 issued by Headquarters, U.S. Army 94th Regional Support Command, honorably discharged the applicant from the USAR. These orders show her SSN as "[REDACTED]" and name as "Mxxxxxxx Lxx Fxxxxx."

4. The applicant provides:

a. State of New Hampshire Certificate of Name Change showing her name was changed from "Mxxxxxxx Lxx Fxxxxx" to "Axxxxx Kxxxxxx O'xxxxx."

b. Social security card showing her name as "Axxxxx Kxxxxxx O'xxxxx" and her SSN as "[REDACTED]"

c. State of New Hampshire Judicial Branch Certificate of Change of Name showing her name was changed to "Axxxxx Kxxxxxx O'xxxxx."

d. Driver License, social security card and Massachusetts ID Card showing her name as "Axxxxx Kxxxxxx O'xxxxx" and her SSN as "██████████"

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was warranted. The Board carefully considered the applicant’s contentions, the military record, and regulatory guidance. The Board agreed that documentation available for review supported that the applicant had had her name legally changed from the name reflected within her military personal file and that reflected on other commonly used sources of personal identification. The Board recognized that the Army has an interest in the preservation of the record. However, after due consideration of the applicant’s request, the Board determined that the evidence presented met the burden of proof in determining the existence of an error or injustice and a recommendation for relief is warranted.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

████	██	████	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by reissuing the applicant's DD214 for the period ending 23 February 1995 showing in:

- block 1 (Name): O'brien, Alexis Katrina
- block 3 (Social Security Number): [REDACTED]



I certify that herein is recorded the true and complete record of the proceedings of the Army Board for Correction of Military Records in this case.

REFERENCES:

1. Title 10, USC, section 1552(b), provides that applications for correction of military records must be filed within 3 years after discovery of the alleged error or injustice. This provision of law also allows the ABCMR to excuse an applicant's failure to timely file within the 3-year statute of limitations if the ABCMR determines it would be in the interest of justice to do so.

2. Army Regulation 635-5 (Separation Documents) in effect at the time prescribes the separation documents which are prepared for individuals upon retirement, discharge, or release from active military service or control of the Army. Source documents will consist of DA Form 2-1 (Personnel Qualification Record), separation orders, DD Form 4, DD Forms 214 for prior service personnel, and any other available records. Item 1; enter the name in all capital letters and item 3 verify accuracy with the SSN of record.

//NOTHING FOLLOWS//