

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 13 September 2024

DOCKET NUMBER: AR20230006367

APPLICANT REQUESTS: reconsideration of a prior request for:

- service credit of his enlisted and commissioned officer duty consolidated on a single DD Form 214 (Certificate of Release or Discharge from Active Duty)
- amendment of his date of birth (DOB) on his DD Form 214 to show the year as 1969 vice 1972

APPLICANT'S SUPPORTING DOCUMENTS CONSIDERED BY THE BOARD:

- DD Form 149 (Application for Correction of Military Record)
- Certificate of Birth
- Two DD Forms 214

FACTS:

1. Incorporated herein by reference are military records which were summarized in the previous consideration of the applicant's case by the Army Board for Correction of Military Records (ABCMR) in Docket Number AR20220002776 on 31 August 2022.
2. The applicant states his enlisted time (July 1997 thru December 1997 and August 1998 thru August 2000) and his total time as an officer (September 2000 thru October 2006 and November 2011 thru May 2012) is not reflected on his DD Form 214; therefore, he wants a consolidated DD Form 214. In addition, he wants his DOB corrected on his DD Form 214.
3. The applicant's request to correct his DD Form 214, item 5 (DOB) has already been granted by the Army Board for Corrections of Military Records (ABCMR) on 31 August 2022 in a prior ABCMR Docket Number AR20220002776, dated 31 August 2022. Therefore, this issue will not be discussed further in these proceedings. A copy of his DD Form 215 (Correction to DD Form 214) will be enclosed for his records.
4. The applicant provides:

a. Certificate of Birth, issued by the State of Texas, which reflects his DOB as the year 1969.

b. Two DD Forms 214 which reflect the following:

(1) Covering the period of 14 September 2000 thru 1 October 2006, reflects he was honorably discharged and transferred to the Headquarters and Headquarters Company (HHC) 71st Brigade, 36th Infantry Division, Dallas, TX on 1 October 2006, under the provision of Army Regulation (AR) 600-8-24 (Officer Transfers and Discharges), paragraph 3-5, Miscellaneous/General Reasons. He served 6 years and 18 days of net active service this period, as an officer in the rank of captain/CPT.

(2) Covering the period of 25 November 2011 thru 31 May 2012, reflects he was released from active duty (AD) and transferred to the Army National Guard of Texas (TXARNG) on 31 May 2012, under the provision of AR 600-8-24, paragraph 2-7, completion of required active service. He served 6 months and 6 days of net active service this period.

5. A review of the applicant's service records show:

a. He enlisted in the U.S. Army Reserve on 14 July 1997.

b. DD Form 214 covering the period of 2 September 1997 to 18 December 1997, reflects he was honorably released from active duty training (ADT) and transferred to his unit located in Seaville, TX on 18 December 1997, under the provision of AR 600-8-24, paragraph 4, completion of required active service. He served 3 months and 17 days of net active service this period and 1 month and 18 days of total prior inactive service. It also shows:

- Item 4a (Grade, Rate, or Rank) SPC
- Item 14 (Military Education) Administrative Specialist, 8 weeks, December 1997

c. A DA Form 4187 (Personnel Action), approved on 9 April 1998, shows the applicant submitted a request on 7 April 1998 to enlist in the Regular Army.

d. A DD Form 4 shows the applicant enlisted in the Regular Army for a period of 3 years on 19 August 1998.

e. Orders 160-7, dated 19 August 1998, enlisted the applicant for a period of 3 years and assigned him to the J.F.K Special Warfare School at Fort Bragg, NC with a report date of 23 August 1998.

f. An Army Commendation Medal (ARCOM) Certificate with Order Number 130-03, dated 9 May 2000, was awarded to the applicant for meritorious service while working as the budget clerk from 20 October 1998 to 5 May 2000 at the 3D Special Forces Group, Fort Bragg, NC.

g. The service record is void of separation orders and void of a DD Form 214 for the applicant's active duty enlisted period. From the enlistment date through the day prior to the applicant's appointment as a commissioned officer, 13 September 2000, the applicant served 2 years and 26 days.

h. Orders 236-3-A-544, dated 23 August 2000, ordered the applicant to active duty with an effective date of commission of 14 September 2000 for a period of 3 years.

i. On 14 September 2000, the applicant took the Oath of Office as a Reserve Commissioned Officer, Infantry Branch.

j. DD Form 214 covering the period of 14 September 2000 to 1 October 2006, reflects he was honorably discharged and transferred to the Headquarters and Headquarters Company (HHC) 71st Brigade, 36th Infantry Division, Dallas, TX on 1 October 2006, under the provision of AR 600-8-24, paragraph 3-5, Miscellaneous/General Reasons. He served 6 years and 18 days of net active service this period. Item 4a (Grade, Rate, or Rank) reflects he was a captain (CPT).

k. DD Form 214 covering the period of 25 November 2011 to 31 May 2012, reflects he was released from AD and transferred to the TXARNG on 31 May 2012, under the provision of AR 600-8-24, paragraph 2-7, completion of required active service. He served 6 months and 6 days of net active service this period.

l. DD Form 215 was issued to correct the DD Form 214, for the period ending on 1 October 2006, item 5 (Date of Birth) to reflect XX XXXXX 1969.

m. His NGB Form 22 (Report of Separation and Record of Service) shows the applicant was honorably discharged from the TXARNG on 1 September 2013. He completed 3 years, 1 month, and 20 days of net service for the period. The applicant was transferred to The Retired Reserve.

6. In a prior Army Board for Correction of Military Records Docket Number AR220220002776, it shows the applicant requested to have his enlisted service time listed on a DD Form 214 and to amend his DOB to 1969. The Board determined partial relief was warranted. They granted a correction to his DD Form 214 to change his DOB. His request for the addition of his enlisted time was denied since the Board determined it was already captured in block 12d (Total Prior Active Service This Period) of his DD Form 214.

BOARD DISCUSSION:

After reviewing the application, all supporting documents, and the evidence found within the applicant's military records, the Board found that relief was not warranted. The Board carefully considered the applicant's record of service, documents submitted in support of the petition and executed a comprehensive review based on law, policy, and regulation. The evidence of record shows the applicant served in the Regular Army from 14 September 2000 to 1 October 2006, in which he was issued a DD Form 214 and again as a member of the Army National Guard from 25 November 2011 to 31 May 2012, in which he was issued a second DD Form 214. The Board determined the applicant served two separate periods of active duty service and not continuous active duty service and therefore he was issued two separate DD Forms 214. The Board concluded there was no error and denied relief.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

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

BOARD DETERMINATION/RECOMMENDATION:

The evidence presented does not demonstrate the existence of a probable error or injustice. Therefore, the Board determined the overall merits of this case are insufficient as a basis for correction of the records of the individual concerned.

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:

Army Regulation 635-5 (Personnel Separations – Separation Documents) provides, the DD Form 214 is a summary of the Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of all current active, prior active, and prior inactive duty service at the time of release from active duty, retirement, or discharge. The information entered thereon reflects the conditions as they existed at the time of separation. Paragraph 2-1(6) states a DD Form 214 will be issued for Soldiers changing their status or component while serving on active duty to include enlisted Soldiers discharged to continue on active duty as commissioned or warrant officers.

//NOTHING FOLLOWS//