



- Self-Authored Request for Discharge
- DA Form 4856, 25 May 2000
- Self-Authored Letter, 2 June 2000
- DA Forms 4856, 15 June 2000 and 16 June 2000
- Memorandum Separation for Lack of Motivation and Acknowledgement of Notification of Separation, 19 June 2000
- DA Form 4856, 19 June 2000
- DA Form 2173 (Statement of Medical Examination and Duty Status), 19 June 2000
- DD Form 2648 (Pre-separation Counseling Checklist), 22 June 2000
- Orders 175-0354 Discharge Orders, 23 June 2000
- DD Form 214 (Certificate of Release or Discharge from Active Duty), 26 June 2000
- Memorandum Line of Duty (LOD) Investigating Officer (IO) Appointment, 8 August 2000
- DA Forms 2823 (Sworn Statement), 11 September 2000
- Letter to Applicant LOD Investigation, 15 September 2000
- Letter of Notification of LOD Findings, 4 October 2000
- DD Form 261 (Report of Investigation of LOD and Misconduct Status), 6 November 2000
- Memorandum Legal Review of LOD, 15 November 2000
- Memorandum LOD Investigation, 8 January 2001 and 18 April 2001
- Letters of Reference, 22 February 2009, 27 February 2009, and 2 March 2009
- Certificates of Completion, 12 December 2010
- Certificates of Completion, 30 September 2014
- Letters from CUBIC, 13 January 2017 and 10 July 2018
- Memorandum from CUBIC, 19 October 2022

#### FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code, 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, in his application and self-authored letter, in effect:
  - a. He is humbly requesting to have his discharge status changed from uncharacterized to honorable on his DD Form 214. In addition, he is requesting to be granted the GI Bill.

b. From his days of college from 1996 to 1998, he has been an exemplary Soldier. He served as a lead cadet in the Florida A&M University Army Reserve Officers Training Corps (ROTC) program. He earned roles of squad leader and platoon leader. Both Sergeant C- and Captain C- were his inspirations for the Soldier he wanted to be.

c. Upon joining the Army, he maintained the same attitude and level of determination to be the best Soldier he could be by becoming a squad leader and by participating and leading his platoon to various victories within the battalion competitions.

d. He was raised by a father who is a retired Army lieutenant colonel and a stepfather who is a retired Coast Guard lieutenant. He understood the value of service.

e. He feels his discharge is inaccurate as he did not request discharge and he was led to believe it was for another reason. While he accepts his injury was his own fault, he was previously informed and agreed to be recycled and had plans of a long career in the U.S. Army.

f. His discharge truly was not because of entry level conduct since the incident was well in advance of his discharge date. His discharge was truly for a hardship, but it was spun into the aforementioned.

g. The applicant did not request discharge and more importantly, he did not want to be discharged. As stated, he was told that he would be recycled for his one station unit training (OSUT). Unfortunately, he did not know he could request the characterization be reviewed and/or changed until late last year when speaking with the Department of Veterans Affairs (VA) when attempting to purchase a home for the first time. That was when he was informed about the review board and that he was not awarded the GI Bill.

h. As a young man in basic training, he was overwhelmed with being separated from his former wife who was pregnant, at the time, with the applicant's first child. He was dealing with so many issues with the pregnancy, finances, residence, and more. Listening to the complications his wife experienced in his absence and continuously being asked to come home to help, really took a toll on the applicant. They were very young and trying to make it. The applicant truly wanted to be a Soldier and provide for his family, but after his injury, he began considering that going home to support his family was best. He accepts that his injury was his own fault, and this has been a huge regret he has carried for many years. He wanted to retire from the service like his father and stepfather, yet, he has always felt he disappointed them and himself because he was discharged.

i. The applicant was raised with stern discipline and to respect all others. During his time in training, he continued those same values. However, he was not perfect. He had

a time where he purchased candy without permission and another time when he went to Burger King, following his hospital stay. This may be small things to a civilian but as a Soldier, they were core values that were disregarded. He owns that and is sorry.

j. When he was first injured, on 10 March 2000, his company commander went to visit him, following his surgery. The company commander informed the applicant he would be recycled because he could not complete the physical portions of his basic training. After agreeing, the applicant was later counseled by his doctors who stated that a medical discharge would be suggested from them on the applicant's behalf because the recovery period could take months. This is what sparked the conversation of a discharge to begin with.

k. In the months to follow, the applicant's company commander would receive a letter from the applicant's wife's OB/GYN documenting the health condition of the applicant's wife. The applicant believes this is what changed the commander's decision from recycling the applicant and leaning towards the discharge. Unfortunately, the applicant does not have a copy of the letter, but he believes there is one in his military profile. While the applicant has not spoken to his former wife in many years, he provided her last known contact information. He could only hope she could provide the documentation or gain access to her hospital records.

l. His wife had a full scholarship to Florida A&M University and did not want to give it up to attend school in Colorado, where the applicant would be stationed on assignment following OSUT graduation. In the applicant's opinion, he believes that is why she requested her OB/GYN to write the letter to the applicant's commanding officer. Unbeknown to the applicant, once he was discharged and relocated to Denver, his former wife had made the decision to leave Colorado and return to Florida. After explaining to her that the applicant's career in the service had just been ended so he could go home to take care of their family, she would then acquire funds from an unknown part, and she left the applicant and their newborn son. According to her, their son was not going with her.

m. In 2009, accompanied with character references letters, the applicant attempted to join the Army, but was told that the military was "on hold" with bringing anyone in. Too inexperienced to ask questions, the applicant accepted what he was told by the recruiter. Since then, the applicant has made the best of his life by attending a technical training school called TechSkills and acquiring certifications in CompTIA and Cisco. These certifications have allowed him to work within IT for the Department of Defense contractors to include S.A.I.C. and currently CUBIC Global Defense for the past 7 years. The applicant is an IT Systems Engineer for CUBIC and he is happy to be around military professionals on a regular basis. He has maintained his security clearance to this day and is proud to still serve in some capacity.

n. To this day, the applicant sincerely regrets his actions that caused him to be in the position of being recycled and later separated for Entry Level Conduct. He speaks highly of the United States Armed Forces and misses it more with each passing day. He would have recently celebrated 23 years of service had he still been in and it is truly disheartening that he was not able to. The applicant is blessed to continue working with the wonderful men and women who presently serve our great nation and he hopes to do this for years to come.

o. It is his prayer that the Board will forgive him of his transgressions, accept his sincerest apologies for his actions, and change his characterization of discharge, separation code, and grant him the GI Bill. He is a father of five, who stresses the importance of service and education to his children. Because of this, his oldest child served in the U.S. Air Force. His second oldest is completing his first year in college, and his younger three children are all top of the class students. With the GI Bill, he too plans to pursue education at a higher level and obtain his degree in Computer Information Systems to accompany his certifications. In addition, the applicant also wants to purchase a house for the first time for his family.

3. The applicant provides the following documents:

a. The applicant's resume, which shows a professional summary, skills, work history, education, and additional information.

b. DD Form 4, dated 14 January 2000, which shows the applicant enlisted in the U.S. Army Reserve (USAR) delayed entry program (DEP) for a period of 8 years. On 28 January 2000 he was discharged from the USAR DEP and entered active duty for a period of 5 years.

c. DA Form 3286-64, dated 28 January 2000, wherein the applicant acknowledges he is going to be trained in the military occupational specialty of 54B (Chemical Operations Specialist) and be stationed at Fort Carson, CO upon completion of training.

d. List of the applicant's medical appointments, which shows the applicant had appointments on several occasions between 1 February 2000 through 20 June 2000.

e. The applicant received DA Forms 4856 on:

(1) 23 February 2000 for violating Army Values and failing to obey a lawful order or regulation. The applicant agreed with the counseling and signed the form.

(2) 6 March 2000, for violating Army Values, departing the company area without authority, disobeying a commissioned officer, disobeying a noncommissioned officer

(NCO), disrespecting an NCO, and malingering by intentionally injuring himself. The applicant disagreed with the counseling and signed the form.

(3) 10 March 2000, for violating Army values, departing the company area without authority, disobeying a commissioned officer, disobeying an NCO, disrespecting an NCO, and malingering by intentionally injuring himself. The applicant disagreed with the counseling and signed the form.

(4) 15 March 2000, for violating a lawful order from his drill sergeant to use the battle buddy system. The applicant agreed with the counseling and signed the form.

f. DA Form 2823, from a drill sergeant, dated 16 March 2000, which details the applicant and another Soldier not using the buddy system. The entire sworn statement is available for the Board's review.

g. DA Form 2627, dated 22 March 2000, shows the applicant accepted nonjudicial punishment for disobeying a lawful order and going from his appointed place of duty without authority on two occasions. The applicant's punishment included reduction to private/E2; forfeiture of \$263, with \$131 suspended; and 14 days extra duty and restriction. The applicant did not appeal his punishment.

h. DA Form 4856, dated 1 April 2000, for missing mandatory training and he had not met the standards to move to Phase IV. He would remain in Phase III until he was able to restart with another company. The applicant disagreed with the counseling stating he spoke with the first sergeant about remaining in the company. A discussion would take place with his doctor due to the applicant's broke hand. The applicant signed the form.

i. An undated hand-written note from the applicant to his drill sergeant, which states:

(1) The applicant was experiencing serious issues that involved his pregnant wife at home, as well as other issues.

(2) His wife was being forced out of her mother's house in Washington D.C. Her mother lost her job in January and did not make an effort to get another job until the week prior to the letter. From the period of January to April, the mother forced the applicant's wife to pay all the bills averaging a total of over \$2,500.

(3) The applicant's wife was being forced out of her mother's house. His wife couldn't leave before because she had no place to go. She was getting ready to move to Colorado to stay with the applicant's mother, which she was only permitted to do for a month.

(4) Due to the finance situations, which took place, the applicant and his wife were limited on funds, which would stop them from getting an apartment. The applicant's wife was working bringing home \$250 every two weeks from a part time job. She was no longer able to work because she was 8 months pregnant. She would not be able to work for 4 to 5 months.

(5) The salary the applicant received from the Army was not enough to support his family. He made more as a civilian, which enabled him to support his family. He and his wife had bills that were overdue and went to collection agencies and it was getting close to pending an investigation because they could not pay them on his military salary. They also had bills from that year, which backed up and could not be paid on the Army salary.

(6) The applicant requested permission to be discharged so he could provide and take care of his family. His wife had to finish college or she would lose her scholarship. She would be unable to do so without them having a place to stay, money for daycare, and the remainder of her school bill to pay.

(7) The applicant's situation had been going on for sometime. Due to his situation, he had become an unmotivated Soldier. He could not concentrate in the Army knowing his wife and son were struggling. He again requested discharge from the Army to be able to take care of his family because there was no one else who could.

j. DA Form 4856, dated 25 May 2000, the applicant was going home on leave during week 16 of OSUT due to family hardship problems with his wife and son. The applicant agreed with the counseling and signed the form.

j. Self-authored letter, dated 2 June 2000, which states, in effect:

(1) The applicant was writing to request a hardship discharge. He previously asked for one under different circumstances and was denied. He was now asking for one due to his wife having to return to college, financial instability, lack of groceries, problems that led to his wife's unbalanced diet, his presence being required at home, and the medical discharge recommended by the Army doctor.

(2) Prior to the applicant entering the Army, his wife was attending Florida A&M University in Tallahassee, Florida, where she was receiving a full scholarship and a stipend from her scholarship. She withdrew and then applied for a transfer to the universities in Colorado Springs, since Fort Carson, was to be the applicant's duty station upon graduation from Fort Leonard Wood. The applicant's wife did not receive enough money to attend school and would not be able to attend due to a lack of funds caused by their financial instability. Florida A&M University had informed the applicant's wife that she would still receive her full scholarship and stipend upon her return to the

university. If she did not accept, then she would lose her scholarship and would not be able to attend school for some years. She accepted the offer and was due to return to Florida in the beginning of July.

(3) With the applicant's wife going back to college, their son would not have a parent to take care of him if the applicant was not back in time for his wife's departure. His wife was unable to take their son with her because children were not allowed to live in the dorm. The applicant was needed to raise their son, while his wife was away at school. Since they did not have the money for all of them to move to Florida, the applicant was to stay at home and work.

(4) The applicant's finances had been a serious issue. He and his wife did not have the funds to pay their bills and the military personnel that did financial background checks had talked to him about being behind on his bill payments. On the date of the applicant's letter, a company's collection agency called his mother-in-law releasing her information on the account and requesting a payment. The applicant's mother-in-law had placed them in a near-crisis financially, including unauthorized conversations such as the one with the billing agent. The applicant and his wife were unable to pay their bills with the amount of money he made in the military and it was affecting their living status. He was able to make more money outside the military, which would allow him to provide for his family.

(5) Their lack of funds also made them unable to purchase food for the household. They were able to purchase a few items but they were hardly sufficient. It was hard to have enough food to last between paychecks when they had to provide for a growing boy. The applicant's wife was not eating a healthy diet because of the shortage of food and funds. She ate approximately one meal a day and drank the rest of the day. This was due to her being depressed and stressed about their instability and the applicant's military status. For those reasons, he requested a hardship discharge.

(6) Upon the applicant's return from leave, he had to report to his doctors to receive a medical discharge. His doctor, prior to the applicant taking emergency leave, stated the applicant's hand would take approximately 8 months to heal and the applicant should not be in training. The doctor went on to say the applicant could receive a medical discharge, but the applicant asked the doctor about the hardship discharge and was told that would be better. The applicant's doctor also said if the applicant could not receive a hardship discharge, he needed to return to receive the medical discharge because the applicant's hand would take a long time to heal. The applicant told the doctor he would like to receive the hardship discharge so he could return to the military, when things were better for his family.

(7) The applicant hand wrote on the letter that he had been informed that his company would be training on split option. In lieu of a hardship discharge, he wanted to



be placed on that type of option. It would afford the applicant to complete his initial training obligation in a timely manner and get his financial situation and family secured. He could return for the second portion of training. This method would allow him to complete his military obligation as scheduled. The applicant included a list of the bills he was deficient in for the commander's consideration.

l. DA Form 4856 and document entitled possible elimination, 15 June 2000, which is a counseling regarding the applicant's possible elimination from the Army. The applicant agreed with the counseling and signed the counseling statement and document.

m. DA Form 4856, dated 16 June 2000, which states, the applicant had difficulty adapting to the military environment and completing his training. Due to the poor decisions the applicant made, he was being recommended for entry level separation. The applicant agreed with the counseling and signed the form.

n. Memorandum, dated 19 June 2000, which states the applicant's commander was initiating action to separate the applicant for lack of motivation. On the same day, the applicant acknowledged notification of his proposed separation, had been offered the opportunity to consult with counsel and waived his right to counsel.

o. DA Form 4856, dated 19 June 2000, states the applicant had requested a hardship discharge due to financial problems and care of his child while his wife went to college. The applicant's situation did not meet the requirements of a hardship discharge. The applicant's prior misconduct and medical situation hindered him from successfully completing OSUT therefore his commander was recommending him for an entry level separation. The second page of the counseling form was not available for review.

p. DA Form 2173, dated 19 June 2000 shows the applicant had an injury of a hand fracture from 10 March 2000. He allegedly was injured when he hit a wall.

q. DD Form 2648, dated 22 June 2000, which was to record pre-separation services and benefits requested by and provided to servicemembers; to identify pre-separation counseling areas of interest as a basis for development of an individual transition plan. The entire form is available for the Board's consideration.

r. DD Form 214 shows the applicant was discharged on 26 June 2000. He completed 4 months and 29 days of active duty service. He was discharged for entry level performance and conduct. His character of service was uncharacterized.

s. Memorandum, dated 8 August 2000 appointed an LOD IO.

t. DA Forms 2823, dated 11 September 2000, from NCOs, which explain how the applicant was injured. The sworn statements are available for the Board's consideration.

u. Letter to the applicant, dated 15 September 2000, from the LOD IO. Based upon the evidence the IO had collected, she believed the applicant's injuries were incurred not in the line of duty due to his own misconduct. The applicant was invited to make a statement on his own behalf, which would be taken into consideration. The applicant had 10 days after receipt of his correspondence.

v. Letter to the applicant, dated 4 October 2000 from the LOD IO informing him the formal LOD had been completed. The IO came to the conclusion the applicant's injury was not in the line of duty due to his own misconduct. The applicant was advised he had another opportunity to make a statement in his own behalf.

w. DD Form 261, dated 5 November 2000, shows the IO's determination that the applicant's injury was not in the line of duty and was due to his own misconduct. The determination was approved by the Secretary of the Army.

x. Memorandum legal review of the LOD, dated 16 November 2000 shows the LOD was found to be legally sufficient.

y. Memorandum to the applicant, dated 8 January 2001, shows the final determination of his LOD.

z. Memorandum, dated 18 April 2001, forwarded the LOD investigation, with no appeal from the applicant, to the Commander, U.S. Army Enlisted Records and Evaluation Center.

aa. Letters of reference dated:

(1) 22 February 2009 from a retired lieutenant of the U.S. Coast Guard, which states the applicant was a very poised young husband and father, committed to caring for his family. The lieutenant could not attest to the specific facts surrounding the applicant's time in the service but could attest the applicant was an exceptional man.

(3) 27 February 2009 from a retired master sergeant of the U.S. Army, which states he met the applicant in 1998 and had developed a close personal and professional relationship with him. The applicant was a positive influence and strove to better himself daily. The master sergeant considered the applicant a close friend and would trust the applicant with his life.

(4) 2 March 2009 from a retired sergeant first class of the U.S. Army, which states, the sergeant first class played a major role in the applicant's life since he was a toddler. The applicant had always been a caring, sensitive, and compassionate person.

- aa. Certificates of completion, dated 12 December 2010, showing the applicant completed: A+ certification; Network+ certification; and Security+ certification.
- bb. Certifications, dated 30 September 2014, show the applicant successfully completed and was recognized as a Cisco Certified Entry Networking Technician and Cisco Certified Network Associate.
- cc. A letter from CUBIC, dated 13 January 2017 offering the applicant the position of Desktop Support Technician II.
- dd. A letter from CUBIC, dated 10 July 2018 offering the applicant the position of IT Software Engineer.
- ee. A memorandum from CUBIC, dated 19 October 2022, which was to confirm the applicant's discussion in regards to his title change. His title would be updated to IT System Engineer.

4. Review of the applicant's service records shows:

- a. He enlisted in the Regular Army on 28 January 2000. He was assigned to Fort Leonard Wood, MO for training.
- b. He was frequently counseled during training for a variety of infractions, including failing to follow orders, violation of Army values, being absent from training without authority, consuming food from the Post Exchange, disrespecting noncommissioned and commissioned officers, malingering, and multiple other infractions.
- c. On 25 March 2000, the applicant accepted nonjudicial punishment under Article 15 of the Uniform Code of Military Justice for disobeying a lawful order, leaving his appointed place of duty without authority, and going from the hospital to Burger King without a battle buddy.
- d. On 19 June 2000, the applicant's immediate commander notified him of his intent to initiate separation action against him under the provisions of chapter 11 of Army Regulation (AR) 635-200 (Personnel Separations – Enlisted Personnel), due to entry-level performance and conduct. The specific reasons are the applicant's lack of motivation and lack of desire to complete training. The immediate commander recommended an entry-level separation.
- e. The applicant acknowledged receipt of the separation notification in accordance with chapter 11 of AR 635-200. He waived consulting with counsel. He was advised by his commander of the basis for the contemplated action to separate him for entry level performance, the effects of this separation, the rights available to him, and the effects of

any action taken by him in waiving his rights. He acknowledged he understood if the request for discharge were approved, he would receive an entry-level separation with uncharacterized service.

f. Subsequent to the applicant's acknowledgement, the immediate commander initiated separation action against him in accordance with chapter 11 of AR 635-200.

g. Although the separation authority's approval memorandum is not available, the applicant's DD Form 214 shows he was discharged on 26 June 2000 due to entry-level performance and conduct in accordance with chapter 11 of AR 635-200 with uncharacterized service (Separation Code JGA, Reentry Code 3). He completed 4 months and 29 days of creditable active military service. He was not awarded a military occupational specialty and did not complete his term of service.

h. There is no indication he petitioned the Army Discharge Review Board for a review of his discharge within that board's 15-year statute of limitations.

5. The applicant's service record contains a DD Form 2366 (Montgomery GI Bill (MGIB)), dated 1 February 2000, not previously provided by the applicant. The form states in blocks 1a and 1b the applicant was not eligible for the MGIB because he was a service academy graduate/ROTC scholarship graduate. He was not eligible for the MGIB based upon this enlistment because this was not his initial entry on active duty. In block 4 it states "I do not desire to participate in the MGIB. I understand that I will not be able to enroll at a later date." The applicant and witnessing official signed the form.

#### BOARD DISCUSSION:

1. The applicant's request for a personal appearance hearing was carefully considered. The Board determined the evidence of record was sufficient to render a fair and equitable decision. As a result, a personal appearance hearing is not necessary to serve the interest of equity and justice in this case.

2. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted. The Board carefully considered the applicant's request, supporting documents, evidence in the records, and published DoD guidance for liberal consideration of discharge upgrade requests.

a. Regarding the character of service, the applicant was discharged under the provisions of AR 635-200, paragraph 11-3a, for entry level status performance and conduct. His service was uncharacterized (entry level status (ELS)). He completed 4 months and 29 days of net active service. He was not awarded a military occupational specialty and he did not complete his term of service. Soldiers are considered to be in

an ELS when they are within their first 180 days of active-duty service. The evidence of record shows the applicant was in an ELS at the time of his separation processing. As such, his DD Form 214 properly shows his service as uncharacterized. An uncharacterized discharge is not meant to be a negative reflection of a Soldier's military service. It merely means the Soldier has not been in the Army long enough for his or her character of service to be rated as honorable or otherwise. As a result, there is no basis for granting the applicant's request.

b. Regarding the GI Bill, this program is administered by the Department of Veterans Affairs. In the applicant's case, however, the evidence shows the applicant signed a document indicating he did not desire to participate in the MGIB and acknowledged his understanding that he would not be able to enroll at a later date.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	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.

[REDACTED]

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[REDACTED] [REDACTED]

[REDACTED]

[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, U.S. Code, 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. Title 38, United States Code, chapter 30, provides for soldiers who entered the service after 30 June 1985, to contribute \$1,200.00 during their first 12 months service for the MGIB. After completion of their service obligation, he or she is entitled to up to 36 months of educational benefits. The program is administered by the VA. Their regulations specify that if a Soldier is separated prior to the normal expiration of his or her term of service, the separation must be for hardship, medical disability or for the convenience of the government. Also, he or she must have served in excess of 20 months for an enlistment of less than 3 years, and in excess of 30 months for an enlistment of 3 years or more. In all cases, the Soldier's service must be considered fully honorable.

3. Army Regulation (AR) 621-202 (Regular Army and Army Reserve enlistment Program) provides, in pertinent part, eligibility requirements for receiving benefits under the MGIB. This regulation provides that must have served 3 or more years of continuous active duty if the initial obligated period of service was 3 or more years. This regulation further provides that if the Soldier is discharged for the convenience of the government whose initial active duty is 3 or more years must complete at least 30 months of continuous active duty. This regulation further provides that Soldiers who do not complete the qualifying term of service have no educational benefits and will not receive a refund of the \$1200 reduction in pay.

3. AR 635-200 (Active Duty Enlisted Administrative Separations) sets forth the basic authority for the separation of enlisted personnel.

a. Paragraph 3-7a provides that an honorable discharge is a separation with honor and entitles the recipient to benefits provided by law. The honorable characterization is appropriate when the quality of the member's service generally has met the standards of acceptable conduct and performance of duty for Army personnel or is otherwise so meritorious that any other characterization would be clearly inappropriate.

b. A separation will be described as entry-level with service uncharacterized if processing is initiated while a Soldier is in entry-level status, except when the Soldier has less than 181 days of continuous active military service, has completed Initial Entry Training, has been awarded an MOS, and has reported for duty at a follow-on unit of assignment.

4. Army Regulation 15-185 (ABCMR) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the ABCMR. The ABCMR may, in its discretion, hold a hearing or request additional evidence or opinions. Additionally, it states in paragraph 2-11 that applicants do not have a right to a hearing before the ABCMR. The Director or the ABCMR may grant a formal hearing whenever justice requires.

//NOTHING FOLLOWS//