

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 4 August 2023

DOCKET NUMBER: AR20230006872

APPLICANT REQUESTS: reconsideration of her prior request to correct her DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period ending 30 June 2005 to show her current name as a result of marriage.

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

- DD Form 149 (Application for Correction of Military Record)
- State of Nevada Marriage Certificate dated 1 April 2018
- U.S. Army Retired Military Identification Card

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 AR20200007287 on 31 August 2021.

2. The applicant states she is requesting to change her name to show M___ E___ F___ T___. She divorced in 2015, following her separation from the military, and wishes to correct her last name. Her last name changed from M___ to T___.

3. The applicant provides, as new evidence:

- State of Nevada Marriage Certificate which reflects the applicant was married to J___ M___ T___ on 1 April 2018
- U.S. Army Retired Military Identification Card shows the applicant's name as T___, M___ E___

4. A review of the applicant's service record shows:

a. She enlisted in the Regular Army on 13 September 1983. Her service record is void of the DD Form 4 (Enlistment/Reenlistment Document – Armed Forces of the United States).

b. She was honorably discharged from active duty on 26 January 1995 to “accept Commission or Warrant in the Army.” Her DD Form 214 shows in Block 1 (Name) M____, M____ E____.

c. A DA Form 61 (Application for Appointment), dated 1 December 1994, shows the applicant listed her name in Block 1 as M____, M____ E____.

d. She was appointed as a Reserve warrant officer and executed an oath of office on 27 January 1995. The below listed documents show her name as M____ E____ M____.

- Appointment Order dated 27 January 1995
- DA Form 71 (Oath of Office) dated 27 January 1995

e. Orders 038-0008, dated 7 February 2005, retired the applicant from active duty with an effective date of 30 June 2005. Her name was listed as M____, M____ E____.

f. She was retired from active duty on 30 June 2005. Her DD Form 214 shows in Block 1 (Name) M____, M____ E____.

5. By regulation (AR 635-8), 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. Block 1 (Name) states compare original enlistment contract or appointment order and review official record for possible name changes. If a name change has occurred list other names of record in Block 18 (Remarks).

BOARD DISCUSSION:

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 contentions, the military record, and regulatory guidance. Evidence of record shows the applicant used the contested name upon enlistment and upon signing the agreement, she attested to the validity of the information. There is insufficient evidence showing she used another name while in service. Even though the Board recognizes that the applicant now uses the requested name, the Army has an interest in preservation of the record at the time it was created. Based on the preponderance of evidence available for review, the Board determined the evidence presented insufficient to warrant a recommendation for relief.

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 to amend the decision of the ABCMR set forth in Docket Number AR20200007287 on 31 August 2021.



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 635-8 (Separation Processing and Documents), currently in effect, states 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. Block 1 (Name) states compare original enlistment contract or appointment order and review official record for possible name changes. If a name change has occurred list other names of record in Block 18 (Remarks).

//NOTHING FOLLOWS//