# ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

# RECORD OF PROCEEDINGS

IN THE CASE OF:

BOARD DATE: 5 March 2024

DOCKET NUMBER: AR20230008073

#### **APPLICANT REQUESTS:**

- upgrade of her under honorable conditions (General) discharge
- correction of her last name on her DD Form 214 (Certificate of Release or Discharge from Active Duty) to reflect A vice S

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

- DD Form 149 (Application for Correction of Military Record)
- Benefits Letter from the Department of Veterans Affairs (VA), dated 16 March 2023

#### 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 the correction should be made because the applicant suffered from undiagnosed mental health issues. These issues still affect the applicant today and have gotten worse. Additionally, she annotated other mental health as an issue/condition related to her request.
- 3. The applicant provides a letter from the VA, dated 16 March 2023, which shows the applicant has a service-connected disability with an evaluation of 10 percent awarded on 1 December 2022.
- 4. The applicant's service records show:
  - a. She enlisted in the Regular Army on 7 November 1996.
  - b. The applicant received DA Forms 4856 (General Counseling Forms) on:

- (1) On 9 May 1997, for repeated tardiness/missing physical training (PT) formation. The applicant concurred with the counseling and signed the form.
- (2) On 15 May 1997, for receipt of an on-post speeding ticket. The applicant did not indicate whether she concurred or non-concurred with the counseling and signed the form.
- (3) On 29 May 1997, for being disrespectful to a noncommissioned officer (NCO) and disobeying a lawful order. The applicant non-concurred with the counseling stating she had a witness to what occurred. She was on her way to the latrine when a command sergeant major told her that her hair was too long and the applicant said yes, sergeant major. A staff sergeant (SSG) told her to fix her hair and the applicant asked if she could go to the latrine. A captain (CPT) then asked how her day was and the applicant told the CPT how the SSG was treating her. The SSG again told the applicant to fix her hair and the applicant asked the SSG why she was treating her like she was still in basic training and walked away. The applicant signed the form.
- (4) On 10 June 1997, for failing the run on her Army physical fitness test. The applicant concurred with the counseling and signed the form.
- (5) On 24 July 1997, for failing to be at her appointed place of duty. The applicant concurred with the counseling and signed the form.
- (6) On 26 August 1997, for failing to be at her appointed place of duty. The applicant refused to sign the counseling form.
- (7) On 26 August 1997, for failing to go to her place of duty, being absent from her unit, and disrespect toward an NCO. The applicant refused to sign the counseling form.
- c. Memorandum, subject: Request for Uniform Code of Military Justice (UCMJ) Action, dated 27 August 1997, states, in pertinent part:
- (1) The applicant's performance and military bearing had been reproachful. The applicant would go to work and fall asleep at her desk, had weekly visits to sick call, had car trouble, frequent car and house lockouts, and no one to keep her child. She had been sent home from work due to her inability to stay awake. She was working a second job, which was a major factor in her job performance.
- (2) The applicant had a problem with authority and displayed an attitude when she had done wrong in hopes no one would bring it to her attention. She had been counseled several times and made no attempt to adjust her attitude. The applicant had

a blatant disregard for policies and had stated she did not like the Army and could not get used to the Army and did not like having people tell her what to do.

- (3) All attempts to make the applicant a Soldier had failed and the request for UCMJ was a last result.
- d. A DA Form 4856, dated 6 October 1997 shows the applicant was counseled for disrespect to an NCO. The applicant refused to sign the counseling form.
- e. Memorandum, subject: Recommendation for Chapter 13, dated 21 October 1997, states in pertinent part:
- (1) On 20 October 1997, the applicant stated she locked her keys in the car. The applicant was released to call the military police (MP), fire department, and/or friend to get into her car. Neither the MPs or fire department would unlock the car.
- (2) When talking with the fire department, the applicant hung up on the fire department and redialed them and threatened the operator. The MPs then went to the physical training field and apprehended the applicant.
- (3) The author of the memorandum had to pick the applicant up at the MP station. The author told the applicant to get into her uniform and report to work and not to get into additional trouble. The applicant did not report to work nor did she call and say she would not be there. The author called the applicant and left a message. Later that evening the applicant called the author and apologized.
- (4) The applicant had little to no respect for authority, failed to follow instructions, failed to be at her appointed place of duty, was derelict in her duty, communicated a threat to civilian personnel, was hot headed, lacked discipline and motivation. The author was recommending the applicant receive an Article 15 under the UCMJ and that she be separated from the service for inability to adapt/adjust to the military.
  - f. A DA Forms 4856, shows the applicant was counseled on:
- (1) On 1 October 1997, for end of month counseling for September 1997 wherein the counselor had seen a huge improvement in the applicant's attitude. The applicant agreed with the counseling and signed the form.
- (2) On 22 October 1997, for failing to obey a lawful order to report to work at 1200 hours on 20 October 1997. The applicant did not go to work or call to let anyone know her whereabouts. The applicant did not indicate whether she concurred or nonconcurred with the counseling and signed the form.

- g. A DA Form 2627 (Record of Proceedings Under Article 15, UCMJ), dated 29 October 1997, shows the applicant accepted nonjudicial punishment for:
  - absenting herself from her place of duty
  - failing to go to her appointed place of duty
  - disrespect to an NCO
  - disobeying a lawful order
  - making a verbal threat

The applicant's punishment was reduction to the grade of private/E-1, suspended, and 6 days of extra duty. The applicant did not appeal her punishment.

- h. A DA Form 3822-R (Report of Mental Status Evaluation), dated 3 November 1997, shows the applicant had the mental capacity to understand and participate in the proceedings and was mentally responsible. She was diagnosed with borderline personality traits.
  - i. A DA Forms 4856 shows the applicant was counseled on:
- (1) On 3 February 1998, for disrespect to an NCO. The applicant nonconcurred with the counseling and signed the form.
- (2) On 9 February 1998, for failing to be at her appointed place of duty. The applicant nonconcurred stating she called as soon as she could. She was on her way to PT and had trouble with her rental car. This did not call for a counseling statement and if the applicant was not believed the counselor could check with the Exxon station where she was at 0615. She was more concerned with getting her car to run than to call sooner. The applicant signed the form.
- j. Arrest Warrant, dated 3 March 1998, shows the applicant committed assault and battery on another by striking the person with an open hand on the left side of her face. The person had swelling and bruising. A military police report, dated 11 March 1998 was completed in reference to the assault and battery. The applicant was arrested.
- k. An Incident Report, Forest Acres Police Department, dated 4 September 1998, shows the incident type was simple assault and damage to property with the applicant named as the suspect.
- I. DA Form 4856, dated 4 September 1998, shows the applicant was counseled for conduct which brought discredit upon the Armed Forces and disloyalty to the NCO support channel. The applicant nonconcurred with the counseling and signed the form.

- m. Military Police Report, dated 8 September 1998, is from a report received from another agency regarding an incarcerated Soldier, which was in reference to the simple assault and damage to property report by civilian authorities. The name of the subject was the applicant. The entire report is available for the Board's consideration.
  - n. DA Forms 4856, shows the applicant was counseled on:
- (1) 9 September 1998, for disrespect toward an NCO. The applicant nonconcurred with the counseling and signed the form.
- (2) 6 October 1998, regarding a recommendation for separation of the applicant. The applicant nonconcurred stating she would provide a statement. The applicant signed the form.
  - o. Applicant statement, dated 7 October 1998, which states:
- (1) She disagreed with the recommendation to separate her from the U.S. Army under chapter 14. When she first arrived at the unit, her problems were a result of her past and the things that were happing at home. Her husband left and she had no help with her daughter and the anger reflected on the job. She started receiving counseling statements for disrespect and because of the lack of childcare she missed a few PT formations. After she almost received a chapter 11, she decided she would get out on her own on a hardship because of the problems she was having. She thought if she got out, then she could get back in after her problems were solved. Considering that she was a single mother, she stayed in and decided to try to cope. She even requested, several times, to be moved out of her unit, hoping that the change of environment would help. After her request was denied, she went to a civilian psychologist and tried to get help dealing with her anger.
- (2) Things began to get better for her and she was stable for about nine months until she and her ex-husband's girlfriend got into a fight, which caused the applicant to go to jail. It seemed like when that happened, she started getting in trouble all over again. She began to stop caring about things and felt herself headed down the wrong road. At that point, she decided to go to the mental health clinic on post and they diagnosed her with clinical depression and she was put on medication to help her handle difficult situations. Again, things improved for her and she was promoted, well on the way to success, until she and her roommate had a disagreement at home and got into a fight that caused them both to go to jail. When that incident occurred and after she got back to work, the problems started all over.
- (3) She did not think she deserved to be separated from the Army, especially not for misconduct. She had psychological problems before and after she arrived at the unit. She just had a hard time balancing the things that went on in her head and work. She

never lived in a stable home and had been on her own since she was 14 and was married at 16. All attempts of getting help had come from the applicant. She was not offered any rehabilitation from anyone or the chance to go to another unit.

- (4) She was going to a psychologist who was helping her deal with her past so she could focus on the present and future. She agreed with the fact that at that time she could not cope with the stress of the military; however, she did not want to ruin her chances of going back into the military, when she was ready. She wanted the chance to continue to be a good mother to her daughter by handling her problems and getting a good job. She was not a bad Soldier and did not deserve to be kicked out of the military on a bad-conduct discharge. She made everyone aware of her problems and they knew that she was seeing a psychologist. She was requesting consideration of a change to her separation to a chapter 5, convenience of the government. She could provide documentation and could agree that the chapter 5 was a more appropriate separation.
- p. On 13 October 1998, by memorandum, the applicant's commander initiated separation of the applicant under the provisions of Army Regulation (AR) 635-200 (Personnel Separations Enlisted Personnel), Chapter 14-12b and 14-12a. The reasons for the commander's proposed actions were:
- (1) The applicant was charged for criminal domestic violence on or about 8 September 1998 by committing an assault and battery and destruction of private property.
- (2) The applicant was charged for an assault and battery on or about 11 March 1998 by having a physical altercation with a civilian.
  - (3) The applicant was continuously disrespectful to NCOs.
  - (4) The applicant violated a lawful order issued by an NCO.
- (5) The applicant communicated a threat to a civilian employee on or about 20 October 1997.
- (6) The applicant was absent from her place of duty on or about 26 August 1997 and on or about 24 July 1997.

The applicant's commander was recommending the applicant receive an under honorable conditions (General) discharge. The applicant acknowledged receipt of the initiation of separation.

q. On 16 October 1998, the applicant was advised by her consulting counsel of the basis for the action to separate the applicant for patterns of misconduct, the rights

available to her and the effect of waiving her rights. The applicant stated statements on her own behalf would be submitted and she requested consulting counsel.

- r. On 26 October 1998, the applicant's commander completed a commander's report detailing the applicant's military service record and recommended to the separation authority the applicant's separation with an under honorable conditions (general) discharge. The entire report is available for the Board's consideration.
- s. SF Form 88 (Report of Medical Examination), dated 26 October 1998, shows the applicant received a physical for separation. There was no information regarding mental health issues on the physical. The applicant was qualified for duty/separation.
- t. The applicant's chain of command recommended approval of the applicant's discharge with the issuance of an under honorable conditions (General) discharge. On 28 October 1998, the appropriate discharge authority approved the request for discharge of the applicant and issued an under honorable conditions (General) discharge.
- u. On 6 November 1998, the applicant was discharged accordingly. Her DD Form 214 shows she was discharged under the provisions of AR 635-200, Chapter 14-12b and 14-12a, for a pattern of misconduct with an under honorable conditions (general) discharge (Separation Code JKA and Reentry Code 3). The applicant completed 2 years of active service. It also shows in:
  - item 4 (Name (Last, First, Middle): S\_\_, J\_\_ R.
  - item 13 (Decorations, Medals, Badges, Citations and Campaign Ribbons Awarded or Authorized): Army Service Ribbon
  - item 28 (Narrative Reason for Separation): Misconduct
- v. On 20 November 1998, the applicant provided a letter, which states, she was requesting consideration be given to her characterization of discharge. She was requesting an honorable discharge so she could be qualified for the GI Bill. She planned to go to college full time; however, unless she were discharged with an honorable characterization of service, she would lose all of her educational benefits. She asked the separation authority to take into consideration that the problems she had been experiencing was the result of unfortunate situations controlling her life, past and present, She was beginning to put her life together and be an even better mother to her daughter and provide for her the things the applicant did not have. Education was very important in the civilian world and an individual is lost without it. The applicant was aware of the serious nature of her offenses and never expected her military career to end the way it did. However, when the applicant got her life together, she would like to go back into the Army with an established educational background.

- w. The applicant's service record shows her name as J\_\_ R. S\_\_ throughout. The applicant's service record is void of, and the applicant did not provide, legal documentation showing her name change to J\_\_ R. A\_\_.
- 5. On 2 April 1999, the Army Discharge Review Board (ADRB), after careful review of the applicant's application, military records, and all other available evidence, the ADRB had determined the applicant was properly and equitably discharged. Accordingly, the Secretary of the Army had directed the applicant be advised her request for a change in the character and/or reason of her discharge had been denied.
- 6. The applicant did not provide any supporting documentation to show any mental health issues.

# 7. MEDICAL REVIEW:

- a. The applicant is applying to the ABCMR requesting an upgrade of her under honorable conditions (general) discharge. She contends she had mental health conditions that mitigated her misconduct.
- b. The specific facts and circumstances of the case can be found in the ABCMR Record of Proceedings (ROP). Pertinent to this advisory are the following: 1) The applicant enlisted into the Regular Army on 7 November 1996; 2) On 13 October 1998, by memorandum, the applicant's commander initiated separation of the applicant under the provisions of Army Regulation (AR) 635-200 (Personnel Separations - Enlisted Personnel), Chapter 14-12b and 14-12a. The reasons for the commander's proposed actions were: A) The applicant was charged for criminal domestic violence on 8 September 1998 by committing an assault and battery and destruction of private property; B) The applicant was charged for an assault and battery on 11 March 1998 by having a physical altercation with a civilian; C) The applicant was continuously disrespectful to NCOs; D) The applicant communicated a threat to a civilian employee on 20 October 1997; and E) The applicant was absent from her place of duty on 26 August 1997 and on 24 July 1997; 3) The applicant was discharged on 6 November 1998, Chapter 14-12b, Misconduct. Her service characterization was under honorable conditions (general); 4) On 2 April 1999, the Army Discharge Review Board (ADRB) reviewed and denied the applicant's request for an upgrade.
- c. The Army Review Board Agency (ARBA) Medical Advisor reviewed the supporting documents and the applicant's military service and available medical records. The VA's Joint Legacy Viewer (JLV) was also examined.
- d. The applicant asserts she was experiencing mental health problems while on active service, which mitigate her misconduct. There is evidence the applicant completed a Mental Status Evaluation on 3 November 1997 as part of Chapter 13 separation proceedings. She was found to have the mental capacity to understand and

participate in the proceedings and was mentally responsible. She was diagnosed with borderline personality traits, and she was psychiatrically cleared for administrative action deemed appropriate by Command. In addition, the applicant wrote a letter requesting to remain in active service on 07 October 1998. She reported attending behavioral health treatment along with receiving psychiatric medication for depression within the military system of care. In addition, she reported difficulty managing her military duties while dealing family stressors. A review of JLV provided evidence the applicant has been diagnosed with service-connected depression 2022.

e. Based on the available information, it is the opinion of the Agency Behavioral Health Advisor that there is sufficient evidence to support the applicant had condition or experience that partially mitigates her misconduct.

#### **Kurta Questions:**

- (1) Did the applicant have a condition or experience that may excuse or mitigate the discharge? Yes, the applicant asserts she experienced mental health conditions that mitigate her misconduct. There was sufficient evidence she was engaged in treatment for depression while on active service, and she was diagnosed with service-connected depression by the VA in 2022.
- (2) Did the condition exist or experience occur during military service? Yes, there was sufficient evidence she was engaged in treatment for depression while on active service, and she was diagnosed with service-connected depression by the VA in 2022.
- (3) Does the condition experience actually excuse or mitigate the discharge? Partially, there is sufficient evidence the applicant was experiencing depression while on active service. There is, however, no nexus between depression and the applicant's misconduct of physical violence, threat of violence, and destruction of property in that:

  1) these types of misconduct are not part of the natural history or sequelae of depression; 2) depression does not affect one's ability to distinguish right from wrong and act in accordance with the right. However, the applicant was also found guilty of disrespect towards NCOs and not being at her place of duty. This erratic and avoidant behavior can be part of the natural history or sequelae of depression. The applicant contends she was experiencing a mental health condition that mitigated his misconduct and there is evidence to partially support her contention, and per Liberal Consideration her assertion is sufficient for the board's consideration.

## **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 request, supporting documents, evidence in the records, and

published DoD guidance for liberal consideration of discharge upgrade requests. The Board considered the applicant's statement, the applicant's record of service, the frequency and nature of the applicant's misconduct and the reason for separation.

- a. The applicant was discharged from active duty due to misconduct, following an extensive history of misconduct that included repeated tardiness/missing physical training (PT) formation; on-post speeding ticket, being disrespectful to an NCO, disobeying lawful orders, failing the run on her APFT, failing to be at her appointed place of duty, failing to go to her place of duty, being absent from her unit, poor performance and military bearing, having problems with authority, assault, and making a threat). She completed 2 years of active service and received a general discharge. The Board found no error or injustice in her separation processing.
- b. The Board considered the medical records, any VA documents provided by the applicant and the review and conclusions of the advising official. The Board concurred with the medical advisory opinion finding some evidence of in-service mitigating factors to overcome the misconduct. There is sufficient evidence the applicant was experiencing depression while on active service. Administrative issues such as disrespect towards NCOs and not being at her place of duty are erratic and avoidant behaviors that can be part of the natural history or sequelae of depression. However, there is no nexus between depression and the applicant's misconduct of physical violence, threat of violence, and destruction of property in that: 1) these types of misconduct are not part of the natural history or sequelae of depression; 2) depression does not affect one's ability to distinguish right from wrong and act in accordance with the right. Based on a preponderance of evidence, the Board determined that the character of service the applicant received upon separation was not in error or unjust.
- c. The evidence of record shows the applicant used the contested name during her military service. The Board found no evidence the applicant used the requested name during her service. The ABCMR begins its consideration of each case with the presumption of administrative regularity. The applicant has the burden of proving an error or injustice by a preponderance of the evidence. The Army has an interest in maintaining the integrity of its records for historical purposes. The information in those records must reflect the conditions and circumstances that existed at the time the records were created, unless there is sufficient evidence that shows a material error or injustice.

## **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:

- 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. AR 635-200, in effect at the time sets policies, standards, and procedures to insure the readiness and competency of the force while providing for the orderly administrative separation of Soldiers for a variety of reasons. Readiness is promoted by maintaining high standards of conduct and performance.

- a. An honorable discharge is a separation with honor. The honorable characterization is appropriate when the quality of the Soldier'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 general discharge is a separation from the Army under honorable conditions. When authorized, it is issued to a Soldier whose military record is satisfactory but not sufficiently meritorious to warrant an honorable discharge.
- c. Chapter 14-12b. A pattern of misconduct consisting of discreditable involvement with civil or military authorities, conduct prejudicial to good order and discipline. Discreditable conduct and conduct prejudicial to good order and discipline includes conduct violative of the accepted standards of personal conduct found in the UCMJ, Army regulations, the civil law, and time honored customs and traditions of the Army.
- 3. AR 635-5-1 (Personnel Separations Separation Program Designator (SPD) Codes), prescribes the specific authorities, reasons for separating Soldiers from active duty, and the SPD codes to be entered on DD Form 214. It shows code JKA is used for discharge for misconduct.
- 4. AR 601-210 (Regular Army and Reserve Components Enlistment Program) table 3-1 (U.S. Army reentry eligibility codes) states:
- a. RE-1: Applies to: Person completing his or her term of active service who is considered qualified to reenter the U.S. Army.
- b. RE-3: Applies to: Person who is not considered fully qualified for reentry or continuous service at time of separation or disqualification is waiverable.
- c. RE-4: Applies to: Person separated from last period of service with a nonwaiverable disqualification.
- d. RE-4R: Applies to: A person who retired for length of service with 15 or more years active federal service.
- 5. On 3 September 2014, the Secretary of Defense directed the Service Discharge Review Boards (DRBs) and Service Boards for Correction of Military/Naval Records (BCM/NRs) to carefully consider the revised PTSD criteria, detailed medical considerations and mitigating factors when taking action on applications from former service members administratively discharged under other than honorable conditions and who have been diagnosed with PTSD by a competent mental health professional

representing a civilian healthcare provider in order to determine if it would be appropriate to upgrade the characterization of the applicant's service.

- 6. On 25 August 2017 the Office of the Undersecretary of Defense for Personnel and Readiness issued clarifying guidance for the Secretary of Defense Directive to DRBs and BCM/NRs when considering requests by Veterans for modification of their discharges due in whole or in part to: mental health conditions, including PTSD; traumatic brain injury (TBI); sexual assault; or sexual harassment. Standards for review should rightly consider the unique nature of these cases and afford each veteran a reasonable opportunity for relief even if the sexual assault or sexual harassment was unreported, or the mental health condition was not diagnosed until years later. Boards are to give liberal consideration to Veterans petitioning for discharge relief when the application for relief is based in whole or in part on those conditions or experiences. The guidance further describes evidence sources and criteria and requires Boards to consider the conditions or experiences presented in evidence as potential mitigation for misconduct that led to the discharge.
- 7. On 25 July 2018, the Under Secretary of Defense for Personnel and Readiness issued guidance to Military Discharge Review Boards and Boards for Correction of Military/Naval Records (BCM/NRs) regarding equity, injustice, or clemency determinations. Clemency generally refers to relief specifically granted from a criminal sentence. BCM/NRs may grant clemency regardless of the type of court-martial. However, the guidance applies to more than clemency from a sentencing in a court-martial; it also applies to other corrections, including changes in a discharge, which may be warranted based on equity or relief from injustice.
- a. This guidance does not mandate relief, but rather provides standards and principles to guide Boards in application of their equitable relief authority. In determining whether to grant relief on the basis of equity, injustice, or clemency grounds, BCM/NRs shall consider the prospect for rehabilitation, external evidence, sworn testimony, policy changes, relative severity of misconduct, mental and behavioral health conditions, official governmental acknowledgement that a relevant error or injustice was committed, and uniformity of punishment.
- b. Changes to the narrative reason for discharge and/or an upgraded character of service granted solely on equity, injustice, or clemency grounds normally should not result in separation pay, retroactive promotions, and payment of past medical expenses or similar benefits that might have been received if the original discharge had been for the revised reason or had the upgraded service characterization.
- 8. Title 10, U.S. Code, section 1556 requires the Secretary of the Army to ensure that an applicant seeking corrective action by the Army Review Boards Agency (ARBA) be provided with a copy of any correspondence and communications (including summaries

of verbal communications) to or from the Agency with anyone outside the Agency that directly pertains to or has material effect on the applicant's case, except as authorized by statute. ARBA medical advisory opinions and reviews are authored by ARBA civilian and military medical and behavioral health professionals and are therefore internal agency work product. Accordingly, ARBA does not routinely provide copies of ARBA Medical Office recommendations, opinions (including advisory opinions), and reviews to Army Board for Correction of Military Records applicants (and/or their counsel) prior to adjudication.

- 9. Army Regulation (AR) 635-5 (Personnel Separation Separation Documents), in effect at the time, prescribes the separation documents which are prepared for individuals upon retirement, discharge, or released from active military service or control of the Army. It establishes standardized policy for preparing and distributing DD Form 214 (Certificate of Release or Discharge from Active Duty).
- a. Paragraph 2-2 (Source Documents), personnel officer will use the following when preparing DD Form 214 (Worksheet):
  - DA Form 2 and 2-1 (Personnel Qualification Records)
  - separation order
  - DD Form 4 (Enlistment/Reenlistment Document Armed Forces of the United States)
  - DA Form 3716 (Personnel Financial Records)
  - enlistment records and DD Form 214 for prior service personnel
  - and other available records
- b. Paragraph 2-8 (DD Form 214 Instructions), see table 2-1, block 1, enter name in all capital letters. Include "JR," "SR," or "II" when needed.

//NOTHING FOLLOWS//