

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: ██████████

BOARD DATE: 27 February 2024

DOCKET NUMBER: AR20230008703

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show in item 7b (HOR at Time of Entry) Killeen, TX.

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

- DD Form 149 (Application for Correction of Military Record)
- Driver's License

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 that Indianapolis, IN was his HOR at the time he enlisted into the Regular Army. His record needs to be updated to reflect his current and permanent address in Killeen, TX so that he is able to qualify for educational benefits.
3. He enlisted in the Regular Army on 26 May 2004. His enlistment document shows the Indianapolis, IN address listed on his DD Form 214.
4. On 3 June 2012, he medically retired. Item 7b of his DD Form 214 reflects Indianapolis, IN.
5. By regulation, a Soldier's enlistment contract or order to active duty is the source document for this data. Enter the city and state where the Soldier entered active duty.

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 applicant's contentions, the military record, and regulatory guidance were carefully considered. The HOR is the place recorded as the HOR of the Soldier when commissioned, appointed,

enlisted, or ordered to a tour of active duty. The evidence of record shows the applicant's HOR was documented as Indianapolis, IN when he enlisted in 2004. At no time was Taxes listed as his HOR. Therefore, the Board found no basis for granting the requested 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 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. Army Regulation (AR) 635-8 (Separation Processing and Documents), prescribes policy and procedural guidance relating to transition management; it explains separation document preparation, distribution, and correction. Paragraph 5-6 (Rules for Completing the DD Form 214 (Certificate of Release or Discharge from Active Duty) provides detailed instructions for data required in each block of the DD Form 214. It states for block 7b (Home of Record at Time of Entry) of the DD Form 214, a Soldier's enlistment contract or order to active duty is the source document for this data. Enter the city and state where the Soldier entered active duty.
3. The DD Form 214 is a synopsis of the Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of active Army service at the time of release from active duty, retirement, or discharge. The DD Form 214 is a historical document that should reflect the record as it existed at the time the DD Form 214 was created.

//NOTHING FOLLOWS//