

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 26 July 2024

DOCKET NUMBER: AR20230013197

APPLICANT REQUESTS: correction of the deceased former servicemember's (SM) WD AGO Form 53-55 (Enlisted Record and Report of Separation Honorable Discharge) to show in:

- item 3 (Grade): technician third grade (TEC 3)
- item 15 (Height): 5 feet and 9 ½ inches

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

- DD Form 149 (Application for Correction of Military Record)
- Honorable Discharge Certificate, 15 March 1946
- WD AGO Form 53-55 (Enlisted Record and Report of Separation Honorable Discharge), for the period ending 15 March 1946
- Letter, National Personnel Records Center (NPRC), 18 October 1990
- Verification Identification Screen
- Death Notice, 30 January 1992
- Applicant's Department of Defense Identification
- Applicant's Florida 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, the son of the SM, states the SM was discharged from the Army on 15 March 1946. His dad died in 1992. He recently came across his father's discharge papers, which provoked more interest with his dad's military history. He recently sent a request to NPRC and discovered all of the SM's records were destroyed. However, NPRC sent him another copy of his dad's discharge, along with a letter his dad wrote to NPRC on 18 October 1990. In the letter his dad explains the discrepancies with his discharge papers. His height should be listed as 5 feet 9 inches and one half, instead of 5 feet 8 inches. Additionally on the front of his discharge paper as well and in item 3 of

the WD AGO Form 53-55 his rank shows as s sergeant (S/Sgt – Grade 3). The correct rank should be TEC 3.

3. The applicant provides:

a. The SM's Honorable Discharge Certificate, dated 15 March 1946, which shows his rank as S SGT.

b. A letter, previously written by the SM on 18 October 1990, that shows, his height is incorrect, he became a police officer on 14 February 1948, and did not grow an inch and a half in two years. Also, to become a police officer one of the requirements was that he had to be 5 feet and 9 inches. The second error shows his rank in item 3 of his WD AGO Form 53-55 as S SGT, this is false; item 38 has the correct rank of TEC 3.

4. The SM's records are not available for review. His WD AGO Form 53-55 shows he enlisted in the Regular Army on 10 December 1942. On 5 March 1946, he was honorably discharged from active duty. His WD AGO Form 53-55 shows he completed 1 year, 2 months and 7 days of continental service. His WD AGO Form 53-55 also shows in:

- block 3 – S SGT
- block 15 – 5 feet and 8 inches
- block 38 (Highest Grade Held) – TEC 3

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board found that relief was 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. Upon review of the applicants petition and available military records, the Board determined there is sufficient evidence to grant full relief, including the applicant's statement and his report of separation. Based on this, the Board granted relief to correct the applicant's grade to reflect technician third grade (TEC 3) and height as 5 feet 9 ½ inches.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

☒      ☒      ☒      GRANT FULL RELIEF

:                    :                    :      GRANT PARTIAL RELIEF

: : : GRANT FORMAL HEARING

: : : DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

The Board determined the evidence presented is sufficient to warrant a recommendation for relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by amending his WD AGO 53-55 to show in:

- item 3 (Grade): TEC 3
- item 15 (Height): 5 feet 9 ½ inches



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 635-5 (Separation Documents), these regulations establish uniform administrative procedures and separation forms to be used in connection with the relief from active duty or complete separation from the military service of commissioned officers, warrant officers, and enlisted personnel. The purpose of the DD Form 214 is to provide the individual with documental evidence of active military service and to furnish a vital record for interested government agencies which assist the individual in obtaining the rights and benefits which may accrue to his as the result of such service.

a. Entries will be made on the certificate of service and discharge from information contained in the DD Form 214. Discharge Certificate. On the line below the words "This is to certify that", enter the individual's name, in signature order, followed by his service number, grade, and basic branch.

b. Item 3a, enter grade in which serving at time of separation, indicating whether permanent or temporary.

c. Item 15, use present height and weight.

d. Item 38, if as shown in item 3a is not permanent, enter permanent grade, date of appointment, and date of rank if different from date of appointment.

//NOTHING FOLLOWS//