

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 6 August 2024

DOCKET NUMBER: AR20230013779

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show in:

- Block 1 (Name (Last, First, Middle): middle name reflected as Conrad vice Rickey
- Block 5 (Date of Birth) – birth year reflected as 1963 vice 1966

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

- DD Form 149 (Application for Correction of Military Record)
- Belize Certification of Vital Record
- California (CA) Driver 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 he is requesting a change to his DD Form 214 for corrections to Block 1 and 4b [sic] to accurately reflect his information. He will be applying for citizenship and is required to submit his DD Form 214. He reviewed his DD Form 214 and noticed his name and date of birth (DOB) were incorrect.
3. The applicant provides his Belize Certification of Vital Record issued on 20 January 2016. His middle name and date of birth reflect the requested changes.
4. A review of the applicant's service record shows:
 - a. He enlisted in the Regular Army on 8 February 1984. His DD Form 4 (Enlistment/Reenlistment Document) shows in Block 1 (Name) – the contested middle name (Rickey) and in Block 7 (DOB) – the contested birth year (1966).

b. The available service record contained two additional documents which list the applicant's name and date of birth as the contested items.

- DA Form 2-1 (Personnel Qualification Record – Part II)
- DA Form 2A (Personnel Qualification Record – Part I)

c. He was honorably released from active duty on 6 February 1987. His DD Form 214 shows he completed 2 years, 11 months, and 26 days of active service. It also shows in:

- Block 1 – the contested middle name
- Block 5 – the contested year of birth

d. The applicant's Certification of Military Service issued on 18 April 1996 also list his name as the contested name. The date of birth is not listed.

e. The applicant's name and date of birth are consistent throughout the available service record, different from that requested by the applicant.

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.

a. 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).

b. Block 5 (Date of Birth), states verify data accuracy by reviewing original enlistment contract and/or application for appointment.

BOARD DISCUSSION:

1. 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 evidence of record shows he enlisted, used, and served under the contested name that contains the middle name Rickey and the year of birth 1966. The Board found no evidence he served under or used the requested name that contains the middle name Conrad or the year of birth 1963, during the period covered by the DD Form 214. 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.

2. The applicant is advised that a copy of this decisional document, along with his application and the supporting evidence he provided, will be filed in his official military records. This should serve to clarify any questions or confusion regarding the difference in his middle name and year of birth recorded in his military records and to satisfy his desire to have his requested middle name and year of birth documented in his military records. The applicant may also use this Record of Proceedings to explain the differences.

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.

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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 635-8 (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.

a. 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).

b. Block 5 (Date of Birth), states verify data accuracy by reviewing original enlistment contract and/or application for appointment.

//NOTHING FOLLOWS//