

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 3 July 2024

DOCKET NUMBER: AR20230014313

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period ending 10 May 2004 to show in:

- item 7a (Place of Entry into Active Duty): Fort Worth, TX
- item 7b (Home of Record (HOR) At Time of Entry): Fort Worth TX
- item 19a (Mailing Address After Separation): "Crowley, TX" vice "Crawley, TX"
- item 19b (Nearest Relative): "Crowley, TX" vice "Crawley, TX"

APPLICANT'S SUPPORTING DOCUMENTS CONSIDERED BY THE BOARD:

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214, 10 May 2004
- LMPeople Document – Review Year End Data Combined

FACTS:

1. The applicant did not file within the three-year time frame provided in Title 10, United States 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, in effect:

a. He would like his place of entry into active duty and his home of record listed as "Fort Worth, TX" vice "Fort Worth, IN" on his DD Form 214. In addition, his mailing address after separation and nearest relative. In items 19a and b, the city is incorrectly spelled. He would like it amended to "[REDACTED]" vice "[REDACTED]".

b. He was assigned to the 209th Quartermaster Company out of Lafayette, Indiana from his home in Fort Worth, TX. He believes the person completing the DD Form 214 had been typing addresses in Indiana for most of the people in the unit when they were back at Fort Knox being sent home and they just made a clerical error or assumption. This correction should be made to show his actual address and not have the incorrect

location. It has a place that does not exist as his home of record and does not allow him to prove that he deployed out of TX and returned to TX after the deployment.

3. The applicant DD Form 214 will be administrative corrected to reflect in items 19a and b to show "[REDACTED]" vice "[REDACTED]" due to an administrative error without the need for Board action. This issue will no longer be discussed in these proceedings.

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

a. DD Form 4 (Enlistment/Reenlistment Document) shows on 18 February 1992, he enlisted in the U.S Army Reserve. Item 3 (HOR) is listed as "Rural Route 1 Box 73, [REDACTED]" Item 4 (Place of Enlistment/Reenlistment) is listed as Indianapolis MEPS, IN.

b. DD Form 4 shows he reenlisted in the USAR on 15 February 2001. Item 3 (HOR) is listed as "[REDACTED]" IN. Item 4 is listed as Halliday United States Army Reserve Center, Lafayette, IN.

c. His DD Form 214 shows on 19 February 2003, he was activated to active duty service and was honorably released from active duty due to the completion of required active service. His completed 1 year, 2 months, and 22 days of net active service this period. This document show in:

- Item 7a (Place of Entry Into Active Duty): Fort Worth, IN
- item 7b (Home of Record (HOR) At Time of Entry): [REDACTED]
[REDACTED], Fort Worth, IN

d. DD Form 4 shows he reenlisted in the USAR on 26 February 2006. Item 3 (HOR) shows [REDACTED] TX and item 4 shows USARC Grand Prairie, TX.

e. Orders 09-348-00047, dated 14 December 2009, issued by the 88th Regional Support Command, WI reflects the applicant's address as [REDACTED] Fort Worth, TX.

f. DD Form 93 (Record of Emergency Data), dated 17 March 2019 does not list the applicant's address.

g. Orders 20-024000012, dated 24 January 2020 reflects the applicant was transferred to the Retired Reserve, effective 1 April 2020. His address is listed as [REDACTED]
[REDACTED] Fort Worth, TX.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, 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 and standard review based on law, policy and regulation, and published Department of Defense guidance for liberal and clemency determinations requests for upgrade of his characterization of service. Upon review of the applicant's petition and available military records, the Board determined there was a clerical error and sufficient evidence to support correction of his DD Form 214 to show his place of entry into active duty and his home of record as Fort Worth, TX" vice "Fort Worth, IN which does not exist. The Board agreed based on the preponderance of evidence and clerical error relief is granted to correct the applicant's DD Form 214.

2. Prior to closing the case, the Board did note the analyst of record administrative notes below, and recommended the correction is completed to more accurately depict the military service of the applicant.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

■	■	■	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

In addition to the administrative notes annotated by the Analyst of Record (below the signature), 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 the applicant's DD Form 214 for the period ending 10 May 2004 to show in:

- item 7a (Place of Entry into Active Duty): Fort Worth, TX
- item 7b (Home of Record (HOR) At Time of Entry): Fort Worth TX



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.

ADMINISTRATIVE NOTES:

Reference the enclosed request for correction of military records from the subject individual to correct his DD Form 214 for the period ending on 10 May 2004 to show in:

- item 19a (Mailing Address After Separation): Crowley, TX vice Crawley, TX
- item 19b (Nearest Relative): Crowley, TX vice Crawley, TX

REFERENCES:

1. Title 10, United States 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 15-185 (Army Board for Correction of Military Records) prescribes the policies and procedures for correction of military records by the Secretary of the Army acting through the ABCMR. 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.

3. Army Regulation 635-5 (Separation Processing and Documents), currently in effect, provides for the preparation and distribution of the DD Form 214. A Soldier's initial enlistment contract or appointment document is the source for this data, or any correction approved by HRC. Item 7a and b (Place of Entry onto Active Duty and Home of Record at Time of Entry). A Soldier's initial enlistment contract or appointment document is the source for this data, or any approved change by EREC.

a. Enter the city and state where the soldier entered active duty. For overseas addresses include the APO or FPO.

b. Enter the street, city, state and ZIP code listed as a soldier's home of record. "Home of Record" is the place recorded as the home of record of the soldier when commissioned, appointed, enlisted, or ordered to a tour of active duty. This cannot be changed unless there is a break in service of at least 1 full day (Joint Federal Travel Regulations, Volume 1, App A, Part I). Home of record is not always the same as the legal domicile as defined for income tax purposes. Legal domicile may change during a soldier's career.

//NOTHING FOLLOWS//