

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 16 August 2024

DOCKET NUMBER: AR20240000458

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

- item 1 (Name (Last, First, Middle): her maiden name as S__
- item 19a (Home of Record After Separation): a different address

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

- DD Form 149 (Application for Correction of Military Record)
- Social Security Card and 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 her name on her DD Form 214 is her married name. Since the divorce, she would like to update her name on her DD Form 214 to ensure consistency with her current legal name on her social security card and other government documents. Her address also needs to be updated on the file. The change should be made to ensure accurate and consistent documentation of her legal name across various platforms including social security and government records. Updating her name on the DD Form 214 to reflect her current legal name, after the divorce, is important for maintaining clarity and alignment with her official identity. This helps prevent any potential discrepancies or confusion in official records, contributing to a more accurate representation of her personal information.
3. The applicant provides her social security card and driver's license, which show the requested name.
4. The applicant's service record contains the following documents:

- a. Her birth certificate, which shows the requested name.
- b. DD Form 4 (Enlistment/Reenlistment Document Armed Forces of the United States) shows her home of record as 119 F- C- Drive, (Lee), Mississippi 38801-4326. She enlisted in the Army under the name N- N. B-.
- c. Her DD Form 214 shows her name as N- N. S- and her home or record as 119 F- C- Drive, Tupelo, Mississippi 38801-4326. Her mailing address is in North Kings Town, Rhode Island, and her nearest relative is at 119 F- C- Drive, Tupelo, Mississippi 38801-4326.

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 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. The evidence presented does not demonstrate the existence of a probable error or injustice. The applicant used the contested name during her entire period of service. Additionally, the Board determined the address annotated on the DD Form 214 reflects the conditions as they existed at the time of discharge. There is no provision to allow for the amendment of the address upon relocation. The Board determined the overall merits of this case are insufficient as a basis for correction of the records of the individual concerned. Based on the service record and a preponderance of the evidence, the Board denied relief.
2. 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. In the absence of evidence that shows a material error or injustice, there is a reluctance to recommend that those records be changed.
3. The applicant is advised that a copy of this decisional document, along with her application and the supporting evidence she provided, will be filed in her official military records. This should serve to clarify any questions or confusion regarding the difference in the name recorded in her military records and to satisfy her desire to have her name documented in her military records.

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 635-5 (Personnel Separations – Separation Documents) in effect at the time, prescribes the separation documents which are prepared for individuals upon retirement, discharge, or release from active military service. It established standardized policy for preparing and distributing the DD Form 214.

a. The basic source documents used for preparing the DD Form 214 are DA Form 201 (Military Personnel Records Jacket, DA Form 2 and DA Form 2-1 (Personnel Qualification Records), separation orders, DD Form 4 (Enlistment/Reenlistment Document – Armed Forces of the United States), DA Form 3716 (Personnel Financial Records), and any other available records. Paragraph 2-4 states in item 1 to enter the name in all capital letters. Include Jr, Sr or II when needed.

b. Place of entry onto active duty and home or record of entry; a Soldier's initial enlistment contract or appointment document is the source document for this data. Enter the city and state the Soldier entered active duty. Enter the street, city, state and zip code listed as the Soldier's home of record.

c. Home or Record cannot be changed unless there is a break in service of at least 1 full day.

//NOTHING FOLLOWS//