

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 29 October 2024

DOCKET NUMBER: AR20240002227

APPLICANT REQUESTS: correction of her DD Form 214 (Certificate of Release or Discharge from Active Duty) to show her post-service name change and award of the Army Good Conduct Medal.

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214
- Court Order for Official Name Change
- Social Security Number (SSN) Card
- Survivor Benefits Plan (SBP) Letter

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 she is requesting her records be changed to show her current legal name, by judgement order, and award of the Army Good Conduct Medal.
3. The applicant provides:
 - a. A Judgement Entry Changing Name of Adult dated 25 October 2022, which ordered the applicant's legal name changed to E__ C__ S__.
 - b. A SSN card, issued on 4 November 2022, with the name E__ C__ S__
 - c. An SBP letter dated 28 December 2023 addressed to the applicant under her name at the time of separation.
4. A review of the applicant's service record shows:

- a. She enlisted in the Regular Army on 29 July 2013.
 - b. A DA Form 638 (Recommendation for Award) shows the applicant received an Army Commendation Medal approved on 13 March 2015, Permanent Order 072-06.
 - c. Her Enlisted Record Brief lists list in Section VII (Awards and Decorations):
 - Army Commendation Medal
 - Army Achievement Medal (2nd Award)
 - National Defense Service Medal
 - Global War on Terrorism Service Medal
 - Army Service Ribbon
 - Three Certificates of Achievement
 - d. The available service record contains no derogatory or negative entries. Nor does it contain either a recommendation or denial notification for award of the Army Good Conduct Medal.
 - e. She was placed on the Temporary Disability Retired List on 17 October 2016. Her DD Form 214 shows she completed 3 years, 2 months, and 19 days of active service with no lost time. It also shows she was awarded or authorized:
 - Army Commendation Medal
 - Army Achievement Medal (2nd Award)
 - National Defense Service Medal
 - Global War on Terrorism Service Medal
 - Army Service Ribbon
5. A review of the applicant's supporting documentation shows an administrative entry is warranted on her DD Form 214. The entry will be added to her DD Form 214 as an administrative correction and will not be considered by the Board.
6. By regulation (AR 600-8-22), the Good Conduct Medal is awarded to individuals who distinguish themselves by their conduct, efficiency, and fidelity during a qualifying period of active duty enlisted service. This period is 3 years except in those cases when the period for the first award ends with the termination of a period of active Federal military service.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, the evidence found within the military record and applicable policy, the Board found that relief was warranted.
2. The Board carefully considered the applicant's request, her record of service, the reason for her separation and the court-ordered name change subsequent to her discharge. The Board considered the criteria for award of the Army Good Conduct Medal and the absence of any disciplinary or disqualification documents in her military record. Based on a preponderance of evidence, the Board determined that the applicant's record should be corrected to reflect the requested name change and that she should be awarded an Army Good Conduct Medal for the period of service ending 17 October 2016.

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, in addition to the corrected in the Administrative Notes that follow, the Board recommends that all Department of the Army records of the individual concerned be corrected by:

- awarding her the Army Good Conduct Medal for the period 29 July 2013 to 17 October 2016, and;
- adding AGCM to her DD form 214 for the period ending 17 October 2016.

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 NOTE(S):

A review of the applicant's service records show she is authorized an administrative entry on her DD Form 214. As a result, reissue her DD Form 214 to show her current legal name as shown in her 25 October 2022 Judgment Entry – Changing Name of Adult.

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 600-8-22 (Military Awards) states the Good Conduct Medal is awarded to individuals who distinguish themselves by their conduct, efficiency and fidelity during a qualifying period of active duty enlisted service. This period is 3 years except in those cases when the period for the first award ends with the termination of a

period of active Federal military service. A record of punishment is not automatically disqualifying. Although there is no automatic entitlement to the Good Conduct Medal, disqualification must be justified. Current practice requires that the commander provide written notice of a nonfavorable consideration and permit the individual to respond.

//NOTHING FOLLOWS//