

IN THE CASE OF: [REDACTED]

BOARD DATE: 7 November 2024

DOCKET NUMBER: AR20240002482

APPLICANT REQUESTS: correction to her DD Form 214 (Report of Separation from Active Duty) to show in item 1 (Last Name – First Name – Middle Name) – her last name as [REDACTED] rather than [REDACTED]

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

- DD Form 149 (Application for Correction of Military Record), 15 January 2024
- DD Form 214 (Report of Separation from Active Duty), 12 May 1978
- Marriage Certificate

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 married after her discharge and never thought to have her DD Form 214 corrected to reflect her married name. With the change it will eliminate confusion when using her DD Form 214 for various purposes as a Department of Veterans Affairs officer recommended the correction be made.
3. The applicant enlisted in the U.S. Army Reserve on 12 March 1976. Item 1 (Name (Last, First, Middle, Jr., Sr., etc.)) of her DD Form 4 (Enlistment or Reenlistment Agreement – Armed Forces of the United States) shows her last name as [REDACTED] with a written name of [REDACTED]
4. She enlisted in the Regular Army on 13 July 1976, for a period of 3 years, item 37 (Signature of Enlistee) shows her signature of [REDACTED] Her DA Form 2-1 (Personnel Qualification Record) shows her last name in item 1 (Name) as [REDACTED]
5. The applicant was discharged on 12 May 1978, under the provisions of Army Regulation 635-200 (Personnel Separations - Enlisted Personnel). Her DD Form 214 shows in item 1 (Name) her last name as [REDACTED]

6. The applicant provided her marriage certificate showing she married [REDACTED] and at the time of marriage her last name was [REDACTED]

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. 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:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	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.



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) prescribed the separation documents prepared for Soldiers upon retirement, discharge, or release from active military service or control of the Army. It established standardized policy for preparation of the DD Form 214 (Report of Separation from Active Duty). The DD Form 214 is a synopsis of the Soldier's most recent period of continuous active duty. It provides a brief, clear-cut record of active Army service at the time of release from active duty, retirement, or discharge. It states the purpose of the separation document is to provide the individual with documentary evidence of his or her military service at the time of release from active duty, retirement, or discharge. It is important that information entered on the form be complete and accurate, reflective of the conditions as they existed at the time of separation. For item 1, enter name in all capital letters. Include "JR," "SR," or "II".

//NOTHING FOLLOWS//