

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 8 November 2024

DOCKET NUMBER: AR20240003546

APPLICANT REQUESTS: correction of his records to show his name as Lea___ G___ instead of Le___ A___ G___.

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

- DD Form 149 (Application for Correction of Military Record)
- Standard Certificate of Live Birth, 16 August 1950
- Driver License, 7 June 2023

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 that his name be changed to his birth name Lea___ G___.
3. The applicant provides the following:
 - a. A copy of his standard certificate of live birth, which shows the requested name Lea___ G___.
 - b. A copy of his driver license dated 7 June 2023, which shows the requested name, Lea___ G___.
4. A review of the applicant's service record shows:
 - a. He was inducted into the Army of the United States on 18 January 1971. His DD Form 47 (Record of Induction) shows in Block 1 (Name), the contested name Le___ A___ G___.
 - b. His DA Form 20 (Enlisted Qualification Record) shows the contested name,

Le__ A__ G__.

c. Special Orders Number 15, issued by Headquarters, U.S. Army Personnel Center, Fort Dix, NJ on 15 January 1973, relieved the applicant from active duty and transferred him to the U.S. Army Reserve (USAR), and shows the contested name Le__ A__ G__.

d. His DD Form 214 shows he was honorably released and transferred to the USAR on 15 January 1973. He completed 1 year, 11 months, and 28 days of net service this period. It also shows in Block 1 (Name), the contested name Le__ A__ G__. This form was authenticated with the applicant's signature.

5. By regulation, the DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) 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.

BOARD DISCUSSION:

1. After reviewing the application and all supporting documents, 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 review based on law, policy and regulation. Upon review of the applicants petition and available military records, the Board determined there is sufficient evidence to grant full relief. Based on this, the Board granted relief to correct the applicant's name as that reflected on his certificate of live birth.

2. Prior to closing the discussion, the Board determined the applicant is entitled to an additional award not annotated on his DD Form 214. As a result, the Board granted relief to award the applicant the Army Good Conduct Medal for his service from 18 June 1971 to 15 January 1973.

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, the Board recommends that all Department of the Army records of the individual concerned be corrected by:

- amending his name to reflect that annotated on his certificate of live birth
- awarding him the Army Good Conduct Medal (First Award) for the qualifying period 18 June 1971 to 15 January 1973
- adding the Army Good Conduct Medal (First Award) to his DD Form 214

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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, 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 the preparation of the DD Form 214. It states for Item 1 (Name) enter last name, first name, and full middle name or names, if any.
3. Army Regulation 635-8 (Separation Processing and Documents), currently in effect, prescribes the separation documents prepared for Soldiers upon retirement, discharge, or release from active military service or control of the Army. It states DD Form 214 is a synopsis of the Soldier's most recent period of continuous active service. It provides a brief, clear-cut record of active Army service at the time of release from active duty, retirement, or discharge. It states, Block 1 (Name) to compare the original enlistment contract or appointment order and review the official record for possible name changes. If a name change has occurred, list other names of record in block 18 (Remarks).

//NOTHING FOLLOWS//