

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 4 November 2024

DOCKET NUMBER: AR20240003890

APPLICANT REQUESTS: correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) to show his name as "Larry G____" vice "Lanny R____ G____."

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214, ending on 27 December 1991
- Birth Certification, 14 December 2000

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 needs his name corrected.
3. The applicant enlisted in the Regular Army on 9 April 1987. His DD Form 4 (Enlisted/Reenlistment Document) listed his full name as Lanny R____ G____ (contested name). All allied documents also listed the contested name.
 - a. His DA Forms 2A (Personnel Qualification Record – Part I) and DA Form 2-1 (Personnel Qualification Record – Part II), which were created upon his entry on active duty, also listed his name as Lanny R____ G____ (contested name).
 - b. He reenlisted on 28 August 1989. His reenlistment contract, and allied documents, also listed the contested name
 - c. All documents in his service record reflect the contested name and include:
 - DD Form 93, Record of Emergency Data, 3 August 1990
 - SGLI Election Certificate, 8 March 1990

- Certificate of Clearance and/or Security Determination, 31 August 1988
- Separation Packet
- Medical Records

d. He was discharged from active duty on 27 December 1991. His voided and his reissued DD Forms 214 listed his full name as Lanny R____ G____ (contested name)

4. He provided a birth certification issued on 14 December 2000 reflective of the requested name, Larry G____ (first name is different)

5. The DD Form 214 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, 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 and standard review based on law, policy and regulation. The Board determined the evidence presented does not demonstrate the existence of a probable error or injustice. Upon thorough review of the applicant's petition and the available military records, the Board determined that the contested name was used throughout the applicant's entire period of service. Given these findings, the Board concluded that the overall merits of this case do not justify a correction to the individual's records. As a result, the request for relief is denied.

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 his application and the supporting evidence he provided, will be filed in his official military records. This should serve to clarify any questions or confusion regarding the difference in the first name recorded in his military records and to satisfy his desire to have his legal first name documented in his 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
XX	XXX	XXX	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), in effect at the time, prescribed the separation documents that must be prepared for Soldiers upon retirement, discharge, or release from active-duty service or control of the Active Army. It established standardized policy for preparing and distributing the DD Form 214. The general

instructions stated all available records would be used as a basis for preparation of the DD Form 214. The specific instructions for item 1 (Last Name – First Name – Middle Name) stated to enter the last name, first name, and full middle name or names, if any.

//NOTHING FOLLOWS//