

IN THE CASE OF: [REDACTED]

BOARD DATE: 25 November 2024

DOCKET NUMBER: AR20240004197

APPLICANT REQUESTS: correction of his WD AGO Form 53-55 (Enlisted Record and Report of Separation - Honorable Discharge), item 3 (Grade), to show sergeant (SGT) vice private first class (PFC).

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

- DD Form 149 (Application for Correction of Military Record)
- Self-Authored Statement
- Separation Qualification Record
- WD AGO Form 53-55, ending 12 April 1947

FACTS:

1. The applicant did not file within the 3-year time frame provided in Title 10, U.S. Code (USC), 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 feels his rank should be changed to SGT to reflect the work he was doing for two months prior to his discharge. He was working as an SGT and there was talk of promoting him upon his reenlistment, but he had to return home due to the death of his father.

3. A review of the applicant's official record shows the following:

a. On 8 January 1946, the applicant was inducted into the Army of the United States.

b. WD AGO Form 24A (Service Record) shows the following, Section 12 (Appointments, Promotions, or Reductions) shows the applicant was promoted to the grade/rating of PFC on 16 November 1946 by Order Number 7 issued by the 431st Band.

c. Special Orders Number 66 dated 18 March 1947, issued by Headquarters, Separation Center, 1262nd ASU, First Army, discharged the applicant with an effective date of 12 April 1947.

d. On 12 April 1947, the applicant was honorably released from active duty by reason of convenience of the government. His WD AGO Form 53-55, item 3 shows "PFC-16 November 1946" and item 30 (Military Occupational Specialty and No.) shows "Supply Noncommissioned Officer (NCO)."

4. The applicant provides:

a. A self-authored statement that in effect states he took training at Camp Lee, Virginia, in the rank of PFC. During his time there, at some point the Supply SGT went home and no one wanted his job, so he took it for two months. When his dad died, he was sent to Fort Dix, New Jersey, for his last three months and was sent to Battalion Headquarters and took a job as Battalion Messenger Clerk/Typist. The Battalion Messenger SGT went home, and the applicant did both jobs for two months; shortly he got his orders and went home. The officer tried to get him to reenlist, but he told him his dad had died and he was needed at home. The officer neglected to give him credit on his discharge documents for the work he did for three months at Battalion Headquarters.

b. Separation Qualification Record shows the applicant performed duties as a Supply SGT (821) in the rank of PFC and it also shows in the Summary of Military Occupation/Title-Description-Related Civilian Occupation section, that his duties were described as: "Supply Sergeant 835 - Served as Supply NCO for 431 Army Ground Forces during occupation duty in Germany."

BOARD DISCUSSION:

After reviewing the application and all supporting documents, the Board determined relief was not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. Based upon the information reflected on the FSM's DA Form 24A, Section 12, the Board concluded there was insufficient evidence of an error or injustice warranting a change to the FSM's rank.

The Board did note that the FSM's duty title reflected on his Separation Qualification Record shows Supply SERGEANT, but that is a position and not indicative of any rank obtained.

Prior to closing the case, the Board did note the exceptional service of the FSM and recommended that the FSM be awarded the Army Good Conduct Medal for his honorable service.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

:            :            :            GRANT FULL RELIEF

:            :            :            GRANT PARTIAL RELIEF

:            :            :            GRANT FORMAL HEARING

█           █           █            DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

1. 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.

2. Prior to closing the case, the Board did note the period of honorable service completed by the FSM and recommended that the Army Good Conduct Medal be awarded and added to his military record.

X 

CHAIRPERSON

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, USC, 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. Special Regulation 615-360-1 (Enlisted Personnel Discharge Procedures and Preparation of Separation Forms) states a DD Form 214 is furnished each enlisted person separated from the Army for any reason. WD AGO Form 24A will be used as a basis for preparation. Item 3; enter the grade in which serving at the time of separation and date of grade.
3. The WD AGO 53-55 is a form used by the U.S. Army to record and report the separation of enlisted personnel with an honorable discharge. It was used before 1 January 1950, when the DD Form 214 became the standard report of separation form. A service member typically receives a report of separation after performing active duty or at least 90 days of active duty training. The report of separation contains information that can be used to verify military service for benefits, retirement, employment, and membership in veterans' organizations.

//NOTHING FOLLOWS//