

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 22 October 2024

DOCKET NUMBER: AR20240004832

APPLICANT REQUESTS: correction of her military records and DD Form 214 (Certificate of Release or Discharge from Active Duty) to show:

- in item 1 (Name), S\_\_ B\_\_ (requested) instead of S\_\_ B\_\_ G\_\_ (contested)
- her marital status as divorced.
- in item 19a (Mailing Address After Separation), "23276 [Street, City, State]" (requested) instead of "PO Box 73139 [City, State]" (contested)
- her updated phone number.

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

- DD Form 149 (Application for Correction of Military Record)
- Final Decree of Divorce, 19 December 2008
- Final Order of Divorce, 21 October 2020
- Final Order of Name Change, 16 December 2020
- Letter from Department of Veterans Affairs (VA), 27 December 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 she is requesting that her name be changed per court order, her marital status be changed to divorced, and her address and phone number be updated.

3. The Board will not consider the applicant's request to change her marital status and phone number. Army Regulation 635-8 (Separation Processing and Documents) prescribes the separation documents prepared for Soldiers upon retirement, discharge, or release from active military service or control of the Army. It states the DD Form 214 is a synopsis of the Soldier's most recent period of continuous active service and provides a brief, clear-cut record of active Army service at the time of release from active duty, retirement, or discharge. Paragraph 5-6 provides detailed instructions of

data required in each block of the DD Form 214. Marital status and telephone number are not required data for the completion of DD Form 214. Therefore, the request to change her marital status and phone number will not be considered in this Record of Proceedings.

4. A review of the applicant's service record shows:

a. She enlisted in the Regular Army on 2 March 2004. This document does not show the requested or the contested address. It shows the name Si\_\_ Ba\_\_ Go\_\_.

b. On 16 November 2005, Headquarters, 82nd Airborne Division published orders ordering her separation. The separation order lists her full name as Si\_\_ Ba\_\_ Go\_\_, similar to the name listed on her Enlistment Contract.

c. Her DD Form 214 shows she was honorably discharged on 31 December 2005. She completed 1 year, 9 months, and 29 days of net active service this period. Her DD Form 214 shows in:

- Block 1 (Name, Last, First, Middle)) the full name Si\_\_ Ba\_\_ Go\_\_, similar to the name listed on her Enlistment Contract.
- Block 19a (Mailing Address After Separation), the contested address PO Box Number [City, State].

4. The applicant provides a Final Order of Name Change, dated 16 December 2020, that shows her name is changed from "Si\_\_ Ba\_\_ Ma\_\_ (a different name) to "Si\_\_ Ba\_\_ (with no middle name).

5. The applicant provides a letter from VA, dated 27 December 2023, which shows the requested address, 23276 [Street, City, State].

6. By regulation, 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:**

After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that partial relief was not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. 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.

a. Name: Grant. The applicant enlisted and served under the full name Si\_\_ Ba\_\_ Go\_\_. Her DD Form 214 correctly lists her full name. She provides a post-discharge court order for a Final Order of Name Change, dated 16 December 2020, that shows her name is changed from "Si\_\_ Ba\_\_ Ma\_\_ (she did not use this name during her military service) to "Si\_\_ Ba\_\_ (with no middle name). The Board determined the post discharge court order is sufficient to correct her DD Form 214 with the court-ordered name.

b. Mailing Address: Deny. The mailing address is provided by the Soldier at the time the DD Form 214 is processed. This address does not change every time a Soldier moves after separation.

BOARD VOTE:

Mbr 1      Mbr 2      Mbr 3

:	:	:	GRANT FULL RELIEF
█	█	█	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:	:	:	DENY APPLICATION

BOARD DETERMINATION/RECOMMENDATION:

1. The Board determined the evidence presented is sufficient to warrant a recommendation for partial relief. As a result, the Board recommends that all Department of the Army records of the individual concerned be corrected by amending the name shown on her DD Form 214 from the current name to the new name listed on her Court Order.
2. The Board further determined the evidence presented is insufficient to warrant a portion of the requested relief. As a result, the Board recommends denial of so much of the application that pertains to the mailing address.

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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 (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. Use the following documents when preparing a DD Form 214 worksheet: Enlisted Record Brief, Separation Approval Authority documentation, Separation Order, and any other document authorized for filing in the Official Military Personnel File. It states for item 19a (Mailing Address After Separation), will be provided by the Soldier. This address must be a permanent address. Civilian penal institutions will not be accepted.
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 19a, data source is as provided by the Soldier. This address must be a permanent address. Civilian penal institutions will not be accepted. Enter street address city, state, and zip code.

//NOTHING FOLLOWS//