

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 19 August 2025

DOCKET NUMBER: AR20240006975

APPLICANT REQUESTS: correction of his reenlistment (RE) code on his DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period ending 28 April 2023 and personal appearance before the Board via video/telephone.

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

- DD Form 149 (Application for Correction of Military Record)
- Personal Statement
- High School Diploma
- Portion of Agent's Investigation Report
- Certificates
- Enlisted Record Brief
- Verified Complaint Action for Divorce
- Character Statements
- Medical Records
- Text Messages

FACTS:

1. The applicant states, in pertinent part:

- He was told, the last month of his service, that his discharge was changed from under honorable conditions (General) to under other than honorable conditions (UOTHC)
- There was little or no explanation for the change
- He wants to change his RE code so he can rejoin the military and prove to the U.S. Army he is a good Soldier
- The accusations brought against him never transpired
- He and his ex-wife were high school sweethearts
- He caught her cheating on him on multiple occasions
- When he had enough, he made the wrong decision and cheated on her
- He never laid hands on her

- The last straw was when she had another man in their home, while he was at the National Training Center (NTC)
- He told her to leave but as soon as he wanted a divorce, she claimed domestic violence
- He injured his feet, during his time in NTC, and it made him very depressed
- He let himself and his living situation spiral after that
- He let his house become deplorable and when watching a battle buddies' child was arrested for child endangerment
- His ex-wife told him she was going to make his life hell due to the fact he wanted a divorce
- She made claims the applicant assaulted her 4 months prior to making the claim
- The Criminal Investigation Division (CID) agents took his text messages out of context and thought they were a confession
- He never physically harmed his ex-wife
- His ex-wife claimed he assaulted her in November, and she reported it months later
- He never had the proper support from leadership due to his leadership changing, at that time
- He was still young and doing stupid stuff
- After the situation, his life went down hill
- He felt like he could not control how his life was going
- He just wants to prove he is a good Soldier
- He denied giving a polygraph based on advice from his leadership and attorney
- He was then advised that a polygraph might help him and by then it was too late
- He was never a perfect husband, friend, or Soldier; he is asking for a second chance to prove he can be the complete opposite from what he showed in the Army thus far
- He is asking only for a RE code change and not a discharge upgrade because he knows he does not deserve a discharge upgrade

2. The applicant provides and his service record shows:

- On 5 August 2020, he enlisted in the Regular Army
- A portion of a CID Investigation Report from 2022 shows he declined to take a polygraph and that his divorce attorney advised him not to take one
- He provides certificates, which show different training courses he completed
- On 26 October 2022, he was notified to appear before an administrative separation board on 9 November 2022
- On 4 November 2022, his commander initiated his separation from the Army for misconduct because on diverse occasions between 1 February 2021 and on or about 28 February 2022 he wrongfully assaulted his spouse; on 4 November 2022, he acknowledged receipt of the initiation of separation

- On 20 January 2023, an administrative separation board recommended the applicant be separated with an UOTHC discharge
- On 6 February 2023, a legal review found the administrative separation board to be legally sufficient
- On 21 March 2023, the applicant, having been advised by his consulting counsel, stated he requested and received consideration of his case by an administrative separation board and was personally present for the administrative separation board
- On 4 April 2023, the appropriate separation authority directed he be discharged from the Army for misconduct with an UOTHC discharge
- On 17 April 2023, orders were published reducing the applicant from private first class/E-3 to private/E-1 effective 4 April 2023
- On 28 April 2023, the applicant was discharged from the Army due to misconduct, with an UOTHC characterization of service, a separation code of JKQ and a RE code of 4
- On 6 September 2023, a Verified Complaint Action for Divorce was completed and a portion is available for the Board's review
- The applicant provides character statements, medical records, and text messages for the Board's review

**BOARD DISCUSSION:**

1. After reviewing the application and all supporting documents, 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 applicant's character references and supportive documents. Upon review of the applicant's petition and available military records, the Board noted he was discharged due to a serious misconduct for wrongful abuse of his spouse. Therefore, the Board determined there was no error or injustice to his reenry code and denied relief.

2. The applicant's request for a personal appearance hearing was carefully considered. In this case, the evidence of record was sufficient to render a fair and equitable decision. As a result, a personal appearance hearing is not necessary to serve the interest of equity and justice in this case.

**BOARD VOTE:**

Mbr 1      Mbr 2      Mbr 3

:            :            :            GRANT FULL RELIEF

:            :            :            GRANT PARTIAL RELIEF

: : : GRANT FORMAL HEARING

XX XX XX DBKCDENY 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.

X //signed//

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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. Army Regulation 15-185 (ABCMR) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the ABCMR. The ABCMR may, in its discretion, hold a hearing or request additional evidence or opinions. Additionally, it states in paragraph 2-11 that applicants do not have a right to a hearing before the ABCMR. The Director or the ABCMR may grant a formal hearing whenever justice requires.
2. Army Regulation 635-5-1 (Personnel Separations – Separation Program Designator (SPD) Codes), in effect at the time, prescribes the specific authorities, reasons for separating Soldiers from active duty, and the SPD codes to be entered on DD Form 214. It shows code JKQ is used for discharge for misconduct (serious offense).
3. Army Regulation 601-210 (Regular Army and Reserve Components Enlistment Program) table 3-1 (U.S. Army reentry eligibility codes) states:
  - a. RE-1: Applies to: Person completing his or her term of active service who is considered qualified to reenter the U.S. Army.
  - b. RE-3: Applies to: Person who is not considered fully qualified for reentry or continuous service at time of separation or disqualification is waiverable.
  - c. RE-4: Applies to: Person separated from last period of service with a nonwaiverable disqualification.
  - d. RE-4R: Applies to: A person who retired for length of service with 15 or more years active federal service.

//NOTHING FOLLOWS//