

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 20 February 2025

DOCKET NUMBER: AR20240007857

APPLICANT REQUESTS: promotion to the rank/grade of staff sergeant (SSG)/E-6.

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

- DD Form 149 (Application for Correction of Military Record)
- Self-Authored Statement

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 received orders that he passed the promotion board to SSG/E-6 and was promoted. However, he had a discussion with his first sergeant about him volunteering in the local boy scout troop in West Berlin, which took up much of his time. He then met with his company commander and felt the conversation was intimidating and coercive and preferred to spend his last 3 months as a sergeant (SGT)/E-5.
3. A review of the applicant's service record shows:
  - a. He enlisted in the Regular Army on 17 February 1965.
  - b. He served in Germany from 16 October 1966 to 14 February 1969 and attained the rank/grade of SGT/E-5, effective 11 July 1967.
  - c. He was honorably transferred to the U.S. Army Reserve on 17 February 1969. His DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) shows he completed 4 years and 1 day of active service. It also shows in item 5a (Grade, Rate or Rank): SP5 (P) [Permanent]; item 5b (Pay Grade): E5; and item 6 (Date of Rank): 11 July 1967.

BOARD DISCUSSION:


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 enlisted in the Regular Army on 17 February 1965 and was honorably transferred to the U.S. Army Reserve on 17 February 1969, having attained the rank of specialist five (SP5) effective 11 July 1967. His personnel records are void of documentation supporting promotion to E6. The Board noted the applicant's contention he passed the promotion board to SSG/E-6 and was promoted; however, the Board concluded the applicant provides no substantiating documentation to support his claim of promotion to E6, and his official records do not reflect any advancement beyond SP5. Therefore, the Board denied relief.

BOARD VOTE:

<u>Mbr 1</u>	<u>Mbr 2</u>	<u>Mbr 3</u>	
:	:	:	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
:XX	:XX	:XX	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.


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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. 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 624-200 (Promotions, Demotions, and Reductions), in effect at the time, states appointments of enlisted personnel to all grades except private/E-2 will be announced in company or special orders issued by the appropriate appointment authority. The orders will cite whether the appointment is permanent or temporary, and the specific paragraph and subparagraph of the regulation upon which authority for the appointment is based. The effective date of appointment is the date of the order or other instrument of appointment unless such orders confirm previous oral orders or unless a future effective date is provided in the order itself.

//NOTHING FOLLOWS//