

IN THE CASE OF: [REDACTED]

BOARD DATE: 24 April 2025

DOCKET NUMBER: AR20240009299

APPLICANT REQUESTS: in effect, reconsideration of his previous request to correct his DD Form 214 (Armed Forces of the United States Report of Transfer or Discharge) to show his rank as corporal (CPL) instead of specialist four (SP4).

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

- DD Form 149 (Application for Correction of Military Record)
- Photos which appear to be the applicant wearing CPL stripes
- Screenshot which shows the applicant's rank as CPL, his unit, and a period of service

FACTS:

1. Incorporated herein by reference are military records which were summarized in the previous consideration of the applicant's case by the Army Board for Correction of Military Records (ABCMR) in Docket Number AR20220008183 on 20 March 2023.
2. The applicant states:
 - His DD Form 214 has listed him as SP4
 - He was promoted to CPL in 1967 and served as section chief in an E-6 slot as a CPL
 - He would like the rank of CPL to reflect in his record
 - He has known it to be incorrect but did not think it mattered until he thought how it would look on his headstone in the military cemetery
 - He was in units in Korea and Fort Sill
 - He has a yearbook, but he is unable to find it
3. A review of the applicant's military service records show:
 - On 15 August 1966, the applicant was inducted into the Army of the United States
 - Item 33 (Appointments and Reductions) of his DA Form 20 (Enlisted Qualification Record) shows the highest rank he held was SP4

- Unit Orders Number 16 dated 14 June 1967, appointed/promoted the applicant to the temporary (T) rank/grade of SP4/E-4
- On 16 May 1968, the applicant was honorably released from active duty and transferred to the U.S. Army Reserve Control Group (Annual Training); DD Form 214 shows he completed 1 year, 9 months, and 2 days of net service this period and shows in:
 - Item 5a (Grade, Rate, or Rank) – "SP4 (T)"
 - Item 5b (Pay Grade) – "E-4"

4. On 20 March 2023, ABCMR Docket Number AR20220008183 shows the board members voted unanimously to deny the applicant's request to show his rank as CPL vice SP4. The board stated:

- a. After reviewing the application, all supporting documents, and the evidence found within the military record, the Board found that relief was not warranted. The applicant's contentions, the military record, and regulatory guidance were carefully considered. The Board noted the applicant failed to provide and his service record did not contain substantiating evidence to support he received a lateral conversion [appointment] from SP4 to CPL.
- b. The applicant is advised the DD Form 214 shows circumstances as they were on the date prepared. The Board concluded there was insufficient evidence of an error or injustice which would warrant a change to the applicant's rank.

5. The applicant's record did not contain orders or documentation showing he was promoted or appointed to the rank of CPL, nor did he provide any orders.

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. Upon review of the applicant's petition, the Board majority concluded that his record is absent of any evidence that shows he was promoted to a CPL/E4 prior to his release from active duty. The Board majority also noted the applicant was promoted to the rank/grade of SP4 (T) on 14 June 1967 and was honorably discharged on 16 May 1968 in the rank/grade of SP4/E4. The Board minority noted that the applicant's rank was the same (E4), whether it was as a SP4 or a CPL and that there was no harm in changing his rank/grade from SP4/E4 to CPL/E4 and recommended relief.

BOARD VOTE:

Mbr 1 Mbr 2 Mbr 3

:	:	██████	GRANT FULL RELIEF
:	:	:	GRANT PARTIAL RELIEF
:	:	:	GRANT FORMAL HEARING
██████	██████	:	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.

5/5/2025

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. Army Regulation (AR) 15-185 (Army Board for Correction of Military Records) prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the Army Board for Correction of Military Records (ABCMR). In pertinent part, it states that the ABCMR begins its consideration of each case with the presumption of administrative regularity. The applicant has the burden of proving an error or injustice by a preponderance of the evidence. The ABCMR will decide cases based on the evidence of record. It is not an investigative agency.
2. AR 600-200 (Enlisted Personnel Management System) in effect at the time prescribes policies, responsibilities, and procedures pertaining to career management of Army enlisted personnel. Chapter 2, paragraph 2-41 (Lateral appointments) states, lateral appointments in accordance with this paragraph will be announced in orders.
3. AR 635-5 (Personnel Separations Separation Documents) in effect at the time prescribes the separation documents that will be furnished each individual who is separated from the Army and establishes standardized procedures for the preparation and distribution of these documents. The preparation instructions for item 5a (Grade, Rate or Rank) state to enter grade in which serving at time of separation, indicating whether permanent or temporary. Example: "MSG (P)" or "MSG (T)."

//NOTHING FOLLOWS//