

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: [REDACTED]

BOARD DATE: 5 August 2025

DOCKET NUMBER: AR20240011618

APPLICANT REQUESTS:

- correction of her DD Form 214 (Certificate or Release or Discharge from Active Duty) to show her retirement date as 31 August 1996 vice 31 July 1995
- a personal or video or telephonic appearance before the Board

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

- DD Form 149 (Application for Correction of Military Record)
- DD Form 214

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 state her retirement date should be 31 August 1996 vice 31 July 1995.
3. A review of the applicant's service records shows:
 - a. She enlisted in the Regular Army on 26 March 1979.
 - b. On 13 September 1994, a memorandum for commander shows the applicant requested early retirement and was conditionally approved for a retirement date of 1 June 1995.
 - c. A DD Form 2656 (Data for Payment of Retirement Personnel) dated 20 June 1995 shows in item 3 (Retirement/Transfer Date) 1 August 1995.
 - d. Orders Number 150-7 dated 30 May 1995 shows the effective date of retirement 31 July 1995 and date placed on retirement list 1 August 1995.

e. She was retired on 31 July 1995. Her DD Form 214 shows she completed 16 years, 3 months, and 21 days of total active service. Block 12b (Separation Date this Period) shows, 31 July 1995.

BOARD DISCUSSION:

1. After reviewing the application, all supporting documents, and the evidence found within the military record, 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 evidence presented does not demonstrate the existence of a probable error or injustice. The Board noted the date on the applicant's DD Form 2656 reflects 1 August 1995 and the applicant's record does not support a 31 August 1996 retirement date. Based on the service record and a preponderance of the evidence, the Board 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:

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

X //SIGNED//

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 635-5 (Separation Processing and Documents), currently in effect, states 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. Block 12c: Net Active Service This Period. Amount of service this period, computed by subtracting block 12a from 12b. Lost time under 10 USC 972 and noncreditable time after ETS, if any, are deducted.

//NOTHING FOLLOWS//