

ARMY BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE CASE OF: ██████████

BOARD DATE: 9 September 2025

DOCKET NUMBER: AR20240013461

APPLICANT REQUESTS: in effect, correction of his DD Form 214 (Certificate of Release or Discharge from Active Duty) for the period ending 2 January 1983, to show the rank/grade of chief warrant officer three (CW3)/W-3 vice sergeant first class (SFC)/E-7.

APPLICANT'S SUPPORTING DOCUMENT(S) CONSIDERED BY THE BOARD:
DD Form 149 (Application for Correction of Military Record)

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 his current DD Form 214 shows the wrong rank/grade of SFC/E-7 and date of retirement. He retired 30 June 1992 as a CW3.
3. A review of the applicant's service record shows:
 - On 9 July 1971, he enlisted in the Regular Army for 3 years
 - On 19 December 1973 and 19 September 1978, he reenlisted for 5 years
 - On 2 March 1981, Orders Number 32-1 promoted the applicant to the rank of SFC, effective 1 April 1981, with a date of rank (DOR) of 19 March 1981
 - DA Form 2-1 (Personnel Qualification Record) shows in:
 - Item 18 (Appointment) – the highest rank he held was SFC with a DOR of 19 March 1981
 - Item 35 (Record of Assignment) – the applicant was honorably discharged to accept an appointment as a warrant officer one (WO1) on 3 January 1983
 - On 3 December 1982:

- The applicant was appointed as a Reserve warrant officer effective on the execution of the oath of office
- Orders Number 231-21-A-137 ordered the applicant to active duty in the rank of WO1 for 4 years for initial active duty procurement with a report date of 15 July 1983

- On 29 December 1982, Orders Number 300-1 discharged the applicant in the rank of SFC from the Regular Army, effective 2 January 1983
- On 2 January 1983, he was honorably discharged by reason of “ordered to active duty as a warrant officer”. He completed 4 years, 3 months, and 14 days net active service this period with 7 years, 2 months, and 10 days prior active service; DD Form 214 shows in item:
 - 4a (Grade, Rate or Rank) – E7/SFC
 - 12h (Effective Date of Pay Grade) – 19 March 1981
 - 25 (Separation Authority) – Paragraph 5-4a(1) or (2), Army Regulation 635-200 (Personnel Separations – Enlisted Separations)

4. The applicant’s service record did not contain evidence nor did the applicant provide a DD Form 214 showing he retired in the rank of CW3 on 30 June 1992.

BOARD DISCUSSION:

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. Based upon the justification provided by the applicant, the Board found insufficient evidence of an error or injustice which would warrant an amendment to the applicant’s DD Form 214 to show he retired in the rank of CW3 on 30 June 1992 and 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.

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 (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.
3. AR 635-200 (Personnel Separations – Enlisted Personnel) provides the authority for separation of enlisted personnel upon expiration of terms of service (ETS) and the authority and general provisions governing the separation of enlisted personnel prior to ETS to meet the needs of the Service and its members. Chapter 5, paragraph 5-4 (Order to active duty or active duty for training as a commissioned or warrant officer) states, enlisted personnel may be discharged for the convenience of the Government for the purpose of: (1) Being ordered to active duty as a commissioned or warrant officer in any branch of the Armed Forces. (2) Being ordered to a special tour of active duty for training (SADT) with the Army as a United States Army Reserve commissioned or warrant officer, such SADT tour to be for at least 1 year.
4. AR 635-5 (Personnel Separations – Separation Documents) prescribes the separation documents which are prepared for individuals upon retirement, discharge, or release from active military service or control of the Army. It establishes standardized policy for preparing and distributing DD Form 214 (Certificate of Release or Discharge from Active Duty). In pertinent part, the regulation states to ensure that all information entered on the DD Form 214 and other separation documents is accurate. Table 2-1, DD Form 214 preparation instructions for items 4a and b state to enter active duty grade of rank and pay grade at time of separation.

//NOTHING FOLLOWS//