

ADDENDUM TO
RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

AUG 14 1998

IN THE MATTER OF:

DOCKET NUMBER: 88-00524

COUNSEL: None

HEARING DESIRED: Yes

RESUME OF CASE:

On 21 August 1989, the Board considered applicant's requests that his nonselection for promotion by the Fiscal Year 1975 Temporary Major Selection Board be voided; his identification for involuntary release from active duty by the 11 November 1974 Reserve Officer Screening Board (ROSB) be voided; his 31 July 1975 involuntary release from active duty be voided; his 27 June 1977 transfer to the Inactive Status List Reserve Section (ISLRS) be voided; his 7 June 1977 removal from the major promotion list be voided; his 25 June 1983 transfer to the Retired Reserve be voided; he be restored to active duty retroactive to 31 July 1975, he be promoted to major retroactive to 31 March 1978; he be awarded Reserve point credits for the period August 1975 through August 1981; he be allowed to retire from active duty after 20 years of credited service; and he be awarded back pay, allowances, retired pay, and benefits. The Board determined the application was not timely filed and found no basis to conclude that it would be in the interest of justice to waive the failure to timely file. In addition, the Board was not persuaded the record raised issues of error or injustice which required resolution on the merits. A complete copy of the Record of Proceedings is attached at M.

In a letter, dated 1 December 1997, to his Congressman, the applicant provided additional documentation and requested reconsideration of his application. The applicant's complete submission is attached at Exhibit N.

THE BOARD CONCLUDES THAT:

We have carefully reviewed the applicant's complete submission and the entire evidence of record; however, we still do not find a sufficient basis to excuse the untimely filing of the application for correction of military records. After thoroughly reviewing the statements submitted by applicant, we still are not persuaded that the applicant has shown a plausible reason-for the delay in filing. Although the applicant was living and working

overseas between 1975 and 1981, this did not preclude his filing. In addition, as noted by the previous panel, the record does not raise issues of error or injustice which require resolution on the merits. Accordingly, we again conclude that it would not be in the interest of justice to excuse the untimely filing of this application.

DECISION OF THE BOARD:

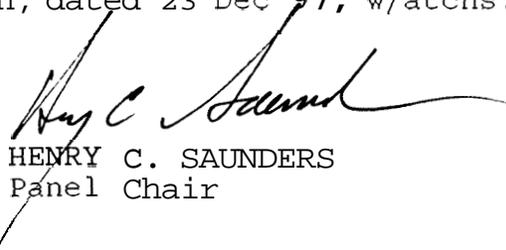
The application was not timely filed and it would not be in the interest of justice to waive the untimeliness. It is the decision of the Board, therefore, to reject the application as untimely.

The following members of the Board considered this application in Executive Session on 16 July 1998, under the provisions of AFI 36-2603:

Mr. Henry C. Saunders, Panel Chair
Mr. David C. Van Gasbeck, Member
Mr. Michael P. Higgins, Member

The following documentary evidence was considered:

- Exhibit M. Record of Proceedings, dated 27 Oct 89, w/atchs.
- Exhibit N. Letter, Congressman, dated 23 Dec 97, w/atchs.



HENRY C. SAUNDERS
Panel Chair