

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: 97-02689

JUL 24 1998

[REDACTED]
COUNSEL: NONE

[REDACTED] 67 HEARING DESIRED: YES

Applicant requests that the original decision of his court-martial be reevaluated. Applicant's submission is at Exhibit A.

Pursuant to the Board's request, the Federal Bureau of Investigation (FBI), Washington, D.C., provided an investigative report which is attached at Exhibit C.

The appropriate Air Force office evaluated applicant's request and provided an advisory opinion to the Board recommending the application be denied (Exhibit D). Applicant's response to the advisory opinion is at Exhibit F.

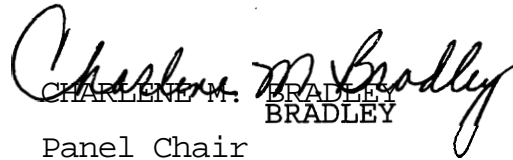
After careful consideration of applicant's request and the available evidence of record, we find insufficient evidence of error or injustice to warrant corrective action. The facts and opinions stated in the advisory opinion appear to be based on the evidence of record and have not been adequately rebutted by applicant. Absent persuasive evidence applicant was denied rights to which entitled, appropriate regulations were not followed, or appropriate standards were not applied, we find no basis to disturb the existing record.

Accordingly, applicant's request is denied.

The applicant's case is adequately documented and it has not been shown that a personal appearance with or without counsel will materially add to our understanding of the issues involved. Therefore, the request for a hearing is not favorably considered.

The Board staff is directed to inform applicant of this decision. Applicant should also be informed that this decision is final and will only be reconsidered upon the presentation of new relevant evidence which was not reasonably available at the time the application was filed.

Members of the Board Ms. Charlene M. Bradley, Dr. Gerald B. Kauvar, and Ms. Patricia D. Vestal considered this application on 30 Jun 98 in accordance with the provisions of Air Force Instruction 36-2603 and the governing statute, 10 U.S.C. 1552.


CHARLENE M. BRADLEY
BRADLEY
Panel Chair

Exhibits:

- A. Applicant's DD Form 149
- B. Available Master Personnel Records
- C. FBI Report
- D. Advisory Opinion
- E. SAF/MIBR Ltr Forwarding Advisory Opinion
- F. Applicant's Response