

JUL 14 1998

RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: 97-03344

COUNSEL: None

HEARING DESIRED: No

Applicant requests separation pay for his involuntary release from active duty. Applicant's submission is at Exhibit A.

The appropriate Air Force offices evaluated applicant's request and provided advisory opinions to the Board recommending the application be denied (Exhibit C). The advisory opinions were forwarded to the applicant for review and response (Exhibit D). As of this date, no response has been received by this office.

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 opinions appear to be based on the evidence of record and have not been 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 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 Mr. LeRoy T. Baseman, Mr. Gregory H. Petkoff, and Mr. Patrick R. Wheeler considered this application on 2 July 1998 in accordance with the provisions of Air Force Instruction 36-2603, and the governing statute, 10 U.S.C. 1552.

  
LeROY T. BASEMAN  
Panel Chair

Exhibits:

- A. Applicant's DD Form 149
- B. Available Master Personnel Records
- C. Advisory Opinions
- D. AFBCMR Ltr Forwarding Advisory Opinions



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS AIR FORCE PERSONNEL CENTER  
RANDOLPH AIR FORCE BASE TEXAS

DEC 04 1997



MEMORANDUM FOR AFBCMR

FROM: HQ AFPC/DPPRS  
550 C Street West Ste 11  
Randolph AFB TX 78150-4713

SUBJECT: Application for Correction of Military Records [REDACTED]

The applicant, while serving in the grade of first lieutenant, was released from active duty from the Air Force 31 Mar 77 under the provisions of AFR 36-12 (Involuntary Release-Twice failed temporary promotion) with an honorable discharge. He served 04 years 11 months and 17 days total active service.

Requested Action. Applicant is requesting separation pay for his involuntary release from active duty.

Recommendation. AFR 36-12, the directive for which the applicant was released from active duty, makes reference to Chapter 4 of the DOD Pay Manual for eligibility requirements for separation pay for the time period the applicant was released from active duty. Recommend DFAS-Denver address the issue of separation pay entitlement. He has not filed a timely request.

JOHN C. WOOTEN, GS-9  
Military Personnel Mgmt Spec  
Separations Branch  
Dir of Personnel Program Management

9703344



DEFENSE FINANCE AND ACCOUNTING SERVICE  
DENVER CENTER  
6760 E. IRVINGTON PLACE  
DENVER, COLORADO 80279

DFAS-DE/FYCC

FEB 13 1998

MEMORANDUM FOR **AIR** FORCE BOARD FOR CORRECTION OF MILITARY RECORDS  
**ATTN: AFBCMR**

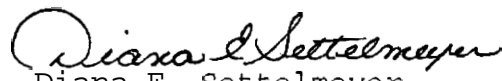
SUBJECT: Application for Correction of Military Records

We examined the application for correction of military records for [REDACTED] Since we are unable to take action to administratively provide the relief sought, we are **forwarding** it for your consideration.

The applicant is requesting that he be paid separation **pay**.. He submitted a copy of **his** DD **Form 214** showing that he separated from the Air Force on March 31, 1977, with 4 years, 11 months, and 17 days of total active service. The **applicant has not filed a timely request.**

On the date of the applicant's separation, an officer who had completed 5 or more, but less than 20 years of active service before involuntary separation was entitled to separation pay. Considering the information provided we find there has not been an error or injustice. **We recommend denial of the applicant's request.**

Our address is DFAS-DE/FYCC, 6760 East Irvington Place, Denver, Colorado 80279-7100. Our point of contact is Rick Rose and he may be reached at DSN 926-4869, **or (303) 676-4869.**

  
Diana E. Settlemeyer  
Chief, Claims Branch  
Directorate of Debt and Claims  
Management