

JUL 15 1998

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NO: 98-00342

COUNSEL: [REDACTED]

HEARING DESIRED: No

Applicant requests his under other than honorable conditions (UOTHC) discharge be upgraded to honorable. Applicant's submission is at Exhibit A.


The appropriate Air Force office evaluated applicant's request and provided an advisory opinion to the Board recommending the application be denied (Exhibit C). The advisory opinion was forwarded to the applicant for review and response (Exhibit D). The applicant's response is at Exhibit E.

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 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. Patricia J. Zarodkiewicz, Mr. Loren S. Perlstein and Mr. Dana J. Gilmour considered this application on 14 July 1998 in accordance with the provisions of Air Force Instruction 36-2603 and the governing statute, 10 U.S.C. 1552.


PATRICIA J. ZARODKIEWICZ
Panel Chair

Exhibits:

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



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

MAR 03 1998

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 airman basic, was discharged from the Air Force 27 Sep 73 under the provisions of AFR 39-12 (Unfitness) and received an under other than honorable conditions discharge. He served 03 years 06 months and 16 days total active service,

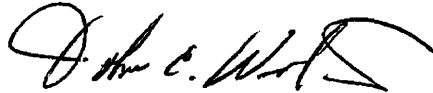
Requested Action. The applicant is requesting that his under other than honorable conditions discharge be upgraded to honorable.

Basis for Request. Applicant feels that it was unjust for him to receive the type discharge that he received.

Facts. The discharge case file is not on file in applicant's master personnel record. However, on file in his permanent records are documents whereby he received Art 15 punishment on 27 Jul 72 for failure to go to his appointed place of duty at [REDACTED] Guam. Art 15 action was taken on 12 Apr 73 for failure to go to his appointed place of duty at [REDACTED]. A third Art 15 was administered to the applicant on 08 May 73 for failure to go to his appointed place of duty at [REDACTED]. Finally, a fourth Art 15 was administered to him on 05 Jun 73 for failure to go to his appointed place of duty at [REDACTED]. Applicant had a total of 37 days lost time and was in civil confinement at the time of his discharge and was unavailable for signature on his DD Form 214,

Discussion. This case has been reviewed and the discharge was consistent with the procedural and substantive requirements of the discharge regulation and was within the sound discretion of the discharge authority based on the number of recorded infractions the applicant had accumulated. The records indicate member's military service was reviewed and appropriate action was taken.

Recommendation. Applicant did not submit any new evidence or identify any errors in the discharge processing nor provide facts which warrant an upgrade of the discharge he received. Accordingly, we recommend applicant's request be denied. He has not filed a timely request.



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