

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: 98-01985

COUNSEL: NONE

JAN 13 1999

HEARING DESIRED: NO

Applicant requests that his general discharge be upgraded to honorable. Applicant's submission is at Exhibit A.

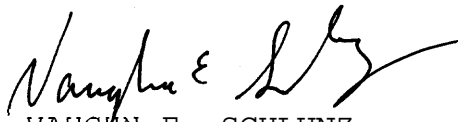
The appropriate Air Force office evaluated applicant's request and provided an advisory opinion to the Board recommending the application be denied (Exhibit C). The advisory opinion was forwarded to the applicant for review and response (Exhibit D). As of this date, no response has been received by this 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 opinion 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. Vaughn E. Schlunz, Mr. Edward C. Koenig, 11, and Mr. Kenneth L. Reinertson, considered this application on 17 December 1998, in accordance with the provisions of Air Force Instruction 36-2603, and the governing statute, 10, U.S.C. 1552.


VAUGHN E. SCHLUNZ
Panel Chair

Exhibits:

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



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

AUG 26 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 first class, was discharged from the Air Force 16 Feb 83 under the provisions of **AFM** 39-10 (Misconduct-Pattern of Minor Disciplinary Infractions) with an under honorable conditions (general) discharge. He served 01 year 06 months and 14 days total active service.

Requested Action. Applicant is requesting an upgrade of his discharge to honorable.

Basis for Request. Applicant claims it is doing him more harm than good to have been discharge with a general discharge when seeking employment. He does not claim an injustice in his discharge, he **only** appeals for an upgrade to honorable because he states he cannot lie about his military service in applications for employment.

Facts. On 16 Feb 83, applicant was notified by his commander that involuntary discharge action had been initiated against him for his minor disciplinary infractions. The commander indicated applicant had been given a Letter of Reprimand for attempting to alter or change the results of a commander directed urinalysis, he was counseled on a SAC Form **845** for failure to go, counseled on a SAC Form **845** for insufficient funds check, counseled the third time on a 15AF Form 182 for financial irresponsibility and finally, on 08 Dec 82, he was given a commander directed urinalysis. Test results indicated a positive for cocaine. Military counsel was appointed to assist the applicant and he refused to submit statements in his own behalf. Applicant did cooperate with the OSI in their investigation and in addition, he received death threats for his cooperation with the OSI. The case was reviewed by the base legal office and was found to be legally sufficient to support discharge. The discharge authority approved the recommendation for discharge on 16 Feb 83 and directed that the applicant be furnished a general discharge certificate without probation and rehabilitation.

Discussion. This case has been reviewed for separation processing and there are no errors or irregularities causing an injustice to the applicant. The discharge complies with directives in effect at the time of his discharge. The records indicate member's military service was reviewed and appropriate action was taken.

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Recommendation. Applicant did not identify any specific 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, DAF
Military Personnel Mgmt Spec
Separations Branch
Dir of Personnel Program Management**

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