

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: 98-02283

COUNSEL: None

JAN 29 1999

HEARING DESIRED: No

Applicant requests that Block 23 (Type of Separation) on his DD Form 214 (Certificate of Release or Discharge From Active Duty) be changed to reflect his disability retirement rather than release from active duty. Applicant's submission is at Exhibit A.

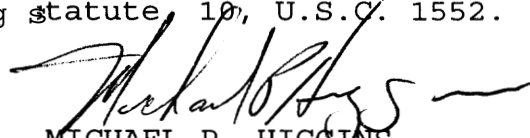
The appropriate Air Force office evaluated applicant's request and provided an advisory opinion to the Board recommending the application be denied (Exhibit C). The advisory opinion was forwarded to the applicant for review and response (Exhibit D). As of this date, no response has been received by this 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. Michael P. Higgins, Dr. Gerald B. Kauvar, and Ms. Dorothy P. Loeb considered this application on 21 January 1999 in accordance with the provisions of Air Force Instruction 36-2603, and the governing statute, 10, U.S.C. 1552.


MICHAEL P. HIGGINS
Panel Chair

Exhibits:

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

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

28 Sep 98

MEMORANDUM FOR AFBCMR

FROM: HQ AFPC/DPPD

550 C Street West Ste 06
Randolph AFB TX 78150-4708

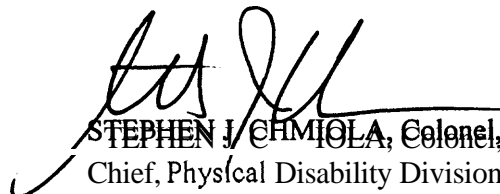
SUBJECT: **Application for** Correction of Military Records [REDACTED]

REQUESTED ACTION: Applicant requests documentation reflecting his disability retirement.

FACTS: Applicant was involuntarily relieved from active duty for physical disability under the provisions of AFR 35-4. He was subsequently placed on the Temporary Disability Retired List (**TDRL**) until he received a permanent disability retirement on 15 May 93. Member completed twenty years, three months, and six days of active duty.

DISCUSSION: At the time of the member's release from active duty, he was furnished a DD Form 214, Certificate of Release or Discharge from Active Duty. The purpose of the DD Form 214 is document active duty service. Member's DD Form 214 states that he was released from active duty on 19 Aug 91 and placed on the **TDRL** effective 20 Aug 91. Member remained on the **TDRL** until 15 May 93 when he received a permanent disability retirement. Applicant was permanently retired on Department of the Air Force (DAF) special order ACD-1562, dated 5 May 93. Records reflect that he was provided a copy of the order in a HQ AFMPC/DPMADS2 memorandum also dated 5 May 93. In cases of removal from the TDRL, a DD Form 214 is not appropriate or issued.

CONCLUSION: To assist the member in his attempt to combine his "military service time with his federal time", we have attached a copy of the member's last DD Form 214 with a copy of DAF special order ACD-1562, dated 5 May 93, which removed him from the **TDRL** with a permanent disability retirement.


STEPHEN J. CHMIOLA, Colonel, USAF
Chief, Physical Disability Division
Directorate of Pers Prog Management

3 Attachments:

1. DD Form 214 (SSgt Rayos)
2. DAF SO ACD-1562, 5 May 93
3. Case File

cc:
SAF/MIBR

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