

ADDENDUM TO
RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2000-01878

COUNSEL: NONE

HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

His under other than honorable conditions (UOTHC) discharge be upgraded to honorable.

STATEMENT OF FACTS:

The applicant was discharged with a UOTHC discharge, on 30 Jul 92, because of misconduct - pattern of discreditable involvement with military or civilian authorities. His discharge was based on numerous incidents of misconduct which led to Letters of Reprimand (LORs) and Records of Counseling (ROCs) for failure to go, disobeying a lawful order, dereliction of duty, disrespect to a superior commissioned officer, and a senior non-commissioned officer, and an Article 15 for driving while intoxicated. At the time of his separation, he was credited with 7 years, 7 months and 27 days of active duty service.

A similar appeal was considered and denied by the Board on 16 November 2000. For an accounting of the facts and circumstances surrounding the applicant's separation, and, the rationale of the earlier decision by the Board, see the Record of Proceedings, with attachments, at Exhibit F.

The applicant requested reconsideration of his application, by letter, dated 4 Apr 01; however, on 7 Aug 01, he was advised that his request did not meet the criteria for reconsideration by the Board.

The applicant requests his UOTHC discharge be upgraded. He admits his wrongdoing; however, he believes that he has paid the price and believes it is time for his discharge to be upgraded.

In support of his appeal, the applicant provides a personal statement; extracts from his military record, and Department of Veterans Affairs (DVA) and service medical record.

The applicant's complete submission, with attachments, is at Exhibit G.

THE BOARD CONCLUDES THAT:

In an earlier finding, the Board determined there was insufficient evidence to warrant an upgrade of the applicant's discharge. We reviewed the additional evidence in judging the merits of the case; however, based on the available evidence of record and that provided by the applicant, it appears the discharge was consistent with the substantive requirements of the discharge regulation and within the commander's discretionary authority. Considering his overall record of service and the lack of post service information since his discharge, we are not persuaded that an upgrade of the characterization of his discharge is warranted. We also find insufficient evidence to warrant a recommendation that the discharge be upgraded on the basis of clemency. Therefore, in the absence of evidence to the contrary, we find no basis upon which to recommend granting the relief sought.

THE BOARD DETERMINES THAT:

The applicant be notified the evidence presented did not demonstrate the existence of material error or injustice; the application was denied without a personal appearance; and the application will only be reconsidered upon the submission of newly discovered relevant evidence not considered with this application.

The following members of the Board considered AFBCMR Docket Number BC-2000-01878 in Executive Session on 4 October 2011, under the provisions of AFI 36-2603:

The following documentary evidence was considered:

- Exhibit F. Record of Proceedings, dated 20 Nov 00, with Exhibits.
- Exhibit G. DD Form 149, dated 25 Mar 11, with attachments.

Panel Chair