RECORD OF PROCEEDINGS

AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF: DOCKET NUMBER: BC-2010-02945

 XXXXXXX COUNSEL: NONE

 HEARING DESIRED: NO

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APPLICANT REQUESTS THAT:

His Reentry (RE) code of 2Q (Personnel Medically Retired or Discharged) be changed so that he can return to the military.

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APPLICANT CONTENDS THAT:

He was given psychiatric tests under duress; he did not take the test seriously or answer the questions truthfully.

The applicant’s complete submission is at Exhibit A.

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STATEMENT OF FACTS:

The applicant’s military personnel records indicate he enlisted in the Regular Air Force on 10 Apr 01 and was progressively promoted to the grade of senior airman (E-4), effective and with a date of rank of 25 Sep 03.

On 20 Aug 04, a Medical Evaluation Board (MEB) found the applicant unfit for continued military service based on his diagnosis of delusional disorder and referred him to the Informal Physical Evaluation Board (IPEB). The IPEB subsequently found him unfit for duty and recommended his discharge under other than disability provisions due to the fact that his condition existed prior to service (EPTS) and was not aggravated by such service.

On 15 Jan 04, the applicant did not accept the findings of the IPEB, and demanded a formal hearing of the case. On 6 Jan 05, officials within the office of the Secretary of the Air Force determined the applicant was physically unfit for continued military service due to an EPTS condition directed his discharge without disability benefits. On 1 Mar 05, he was honorably discharged, assigned an RE code of 2Q, and credited with 3 years, 10 months, and 22 days of total active service.

The remaining relevant facts pertaining to this application are contained in the letters prepared by the appropriate offices of the Air Force, which are attached at Exhibits C and D.

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AIR FORCE EVALUATION:

AFPC/DPSD recommends denial, indicating the preponderance of the evidence reflects that no error or injustice occurred during the disability process or at the time of separation. The IPEB found the applicant’s delusional disorder, mixed type, associated with anxiety disorder, not otherwise specified, existed prior to service (ETPS) without permanent service aggravation. The correct RE code for a person who is approved for a medical retirement or separation is 2Q.

A complete copy of the AFPC/DPSD evaluation is at Exhibit C.

AFPC/DPSOA recommends denial, indicating the 2Q RE code was appropriately assigned to reflect the applicant’s discharge in accordance with AFI 36-2606, *Reenlistment in the United States Air Force.* He has provided no evidence of an error or injustice related to his RE code and his current medical status has no effect on his RE code issued in conjunction with his separation for an EPTS condition.

A complete copy of the AFPC/DPSOA evaluation is at Exhibit D.

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APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

Copies of the Air Force evaluations were forwarded to the applicant on 5 Nov 10 for review and comment within 30 days. As of this date, no response has been received by this office (Exhibit E).

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THE BOARD CONCLUDES THAT:

1.  The applicant has exhausted all remedies provided by existing law or regulations.

2.  The application was not timely filed; however, it is in the interest of justice to excuse the failure to timely file.

3.  Insufficient relevant evidence has been presented to demonstrate the existence of an error or injustice. We took notice of the applicant's complete submission in judging the merits of the case; however, we agree with the opinions and recommendations of the Air Force offices of primary responsibility and adopt their rationale as the basis for our conclusion the applicant has not been the victim of an error or injustice. No evidence has been presented which would lead us to believe the RE code of 2Q was not appropriately assigned or did not accurately reflect the circumstances of his discharge. Therefore, in the absence of evidence to the contrary, we find no basis to recommend granting the relief sought in this application.

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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.

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The following members of the Board considered AFBCMR Docket Number BC-2010-02945 in Executive Session on 13 Apr 11, under the provisions of AFI 36-2603:

 Mr. XXXXXXXXXX, Panel Chair

 Ms. XXXXXXXXXX, Member

 Mr. XXXXXXXXXX, Member

The following documentary evidence was considered:

 Exhibit A. DD Form 149, dated 10 Aug 10.

 Exhibit B. Applicant's Master Personnel Records.

 Exhibit C. Letter, AFPC/DPSD, dated 8 Sep 10.

 Exhibit D. Letter, AFPC/DPSOA, dated 30 Sep 10.

 Exhibit E. Letter, SAF/MRBR, dated 5 Nov 10.

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 Panel Chair