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

IN THE MATTER OF: DOCKET NUMBER: BC-2011-01967

COUNSEL: NONE

HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

He receive a direct promotion to the grade of captain (0-3).

STATEMENT OF FACTS:

On 20 Oct 11, the Board considered and denied the applicant's request that he be promoted to the grade of captain. A complete copy of the Record of Proceedings is attached at Exhibit E (with Exhibits A through D).

By letter, dated 19 Dec 11, the applicant requests reconsideration of his request, contending that the destruction of the records by the fire in 1973 has left him in a "no win" position. He believes that he earned the promotion for flying with $8^{\rm th}$ Air Force by evading capture after being shot down over France.

In support of the appeal, the applicant submits a personal statement and a copy of a newspaper clipping.

Applicant's complete submission, with attachments, is at Exhibit F.

THE BOARD CONCLUDES THAT:

In earlier findings, the Board determined that there was insufficient evidence to warrant any corrective action. After thoroughly reviewing the additional documentation submitted in support of his appeal and the evidence of record, we do not find it sufficient to change our earlier determination in this case. Due to the passage of time, the applicant's request cannot be adequately addressed due to the loss or destruction of the records needed to properly adjudicate his request. While the loss of the applicant's records is regrettable and is due to no fault of the applicant, nevertheless, in the correction of records process, the burden of proof of the existence of error or injustice rest with each individual applicant. Therefore, in view of the above, and in the absence of evidence to the

contrary, we find no basis upon which to recommend favorable consideration of the applicant's request.

THE BOARD DETERMINES THAT:

The applicant be notified that the evidence presented did not demonstrate the existence of material error or injustice; that the application was denied without a personal appearance; and that 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 the applicant's request for reconsideration of AFBCMR Docket Number BC-2011-01967 in Executive Session on 17 Jul 12, under the provisions of AFI 36-2603:

- , Panel Chair
- , Member
- , Member

The following additional documentary evidence was considered:

Exhibit E. Record of Proceedings, dated 27 Oct 11, w/atchs.

Exhibit F. Letter, dated 19 Dec 11, w/atch.

PANEL CHAIR