

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-00306

COUNSEL: NONE

HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

1. His last name in his military records be changed from xxx to xxx.
2. His character of service on his DD Form 214, *Certificate of Release or Discharge from Active Duty*, be changed from uncharacterized to honorable.

APPLICANT CONTENDS THAT:

His last name was corrected by a federal judge during the citizenship process.

He was disabled in the line of duty and is currently classified as service connected with an honorable discharge with the Veteran's Administration (VA). He recently learned the importance of the status due to his current disability and additional injuries which caused him to retire after a 23 year career as a police officer.

In support of his request, the applicant provides a copy of his DVA Identification, his DD Form 214, and a letter from the DVA.

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

STATEMENT OF FACTS:

The applicant enlisted in the Regular Air Force on 6 August 1986. On 14 November 1986 pursuant to an Informal Physical Evaluation Board, the applicant was found unfit for continued military service. He was discharged on 19 November 1986, with a 10 percent disability rating. He received an entry level separation and his service was uncharacterized. He was credited with 3 months and 14 days of active duty service.

Airmen are given entry level separations with uncharacterized service when their separation is initiated within the first 180 days of consecutive service.

On 20 March 2012, the applicant was notified that AFI 36-2608, *Military Personnel Records Systems*, only permits changing records for former members if there is evidence the Air Force erroneously recorded the data in question. In this case, it does not appear there was an error with regard to his name as recorded in his records. As there is no continuing affiliation with the Air Force as a retiree or a member of the Reserve, the record may not be amended after the fact.

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 error or injustice. After careful consideration of the applicant's request and the available evidence of record, we find insufficient evidence of an error or injustice to warrant corrective action with regard to the applicant's character of service. Absent evidence the applicant was denied rights to which he was entitled, appropriate regulations were not followed or appropriate standards were not applied, we find no basis to disturb the existing record.

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 BCMR Docket Number BC-2012-00306 in Executive Session on 17 July 2012 under the provisions of AFI 36-2603:

Panel Chair
Member
Member

The following documentary evidence pertaining to BCMR Docket Number BC-2012-00306 was considered:

- Exhibit A. DD Form 149, dated 6 Jan 12, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.

Panel Chair