

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-00449

COUNSEL: NONE

HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

Thirty days of lost leave be reinstated.

APPLICANT CONTENDS THAT:

He was on convalescent leave during all of Fiscal Year 2011 (FY11) and was unable to use his 30 days of leave.

In support of his request, the applicant provides copies of all of his FY11 AF IMT 988s, *Leave Request/Authorization*.

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

STATEMENT OF FACTS:

The relevant facts pertaining to this application are described in the letter prepared by the Air Force Office of responsibility, which is included at Exhibit C. Therefore, there is no need to recite these facts in this record of proceedings.

AIR FORCE EVALUATION:

AFPC/DPSIM recommends denial, indicating there is no evidence of an error or injustice. AFI 36-3003, *Military Leave Program*, paragraph 10.9., requires the applicant to clearly establish that an error or injustice by the Air Force caused the member's lost leave, and paragraph 10.8.3. clearly states that members are not authorized restoration of leave for hospitalizations, aeromedical evacuations, quarters, and convalescent leaves. There was no injustice by the Air Force that caused the member to lose leave days. Recommend denying relief because the applicant's leave was convalescent.

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

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the Air Force evaluation was forwarded to the applicant on 27 Mar 12 for review and comment within 30 days. As of this date, no response has been received by this office (Exhibit D).

THE BOARD CONCLUDES THAT:

1. The applicant has exhausted all remedies provided by existing law or regulations.
 2. The application was timely filed.
 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 opinion and recommendation of the Air Force office of primary responsibility (OPR) and adopt its rationale as the basis for our conclusion the applicant has not been the victim of an error of injustice. Therefore, in the absence of evidence to the contrary, we find no basis to recommend granting the relief.
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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.

The following members of the Board considered AFBCMR Docket Number BC-2012-00449 in Executive Session on 7 Aug 12, under the provisions of AFI 36-2603:

Panel Chair
Member
Member

The following documentary evidence pertaining to AFBCMR Docket Number BC-2012-00449 was considered:

- Exhibit A. DD Form 149, dated 20 Jan 12, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPSIM, dated 1 Mar 12.
- Exhibit D. Letter, SAF/MRBR, dated 27 Mar 12.

Panel Chair