

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-00633
COUNSEL: NONE
HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

His separation code and narrative reason for separation be removed from his DD Form 214, *Certificate of Release or Discharge from Active Duty*.

APPLICANT CONTENDS THAT:

He told his recruiter of his history of anger and depression; however, his recruiter advised him to not disclose anything because it wouldn't matter.

The applicant does not provide any evidence in support of his appeal.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS:

While attending Basic Military Training the applicant, serving in the grade of airman basic (E-1), was diagnosed with adjustment disorder with depressed mood during a mental health evaluation. During the evaluation, the applicant self-reported he struggled with symptoms of anger and depression since he was 17 years old.

On 13 June 2011, the applicant was notified of his commander's intent to recommend him for discharge from the Air Force with an entry-level separation (Fraudulent Entry) for intentionally concealing a prior service medical condition, which if revealed, could have resulted in rejection of his enlistment. The applicant acknowledged receipt of his commander's intent and waived his rights to consult counsel and to provide a statement in his own behalf.

On 14 June 2011, the discharge authority approved the recommended discharge under the provisions of Air Force Program Directive 36-32 and Air Force Instructions 36-3208, Chapter 5, Section 5C, Paragraph 5.15.

On 15 June 2011, the applicant was discharged with an entry level separation with a separation code of "JDA" and a narrative reason for separation of "Fraudulent Entry into Military Service."

AIR FORCE EVALUATION:

AFPC/DPSOS recommends denial. DPSOS states that based on the documentation on file in the master personnel records, the applicant's discharge was consistent with the procedural and substantive requirements of the discharge regulation and was within the discretion of the discharge authority. His uncharacterized service is correct and in accordance with Department of Defense and Air Force instructions.

DPSOS indicates the applicant did not submit any evidence or identify any errors or injustices that occurred in the discharge processing. He provided no facts warranting a change to his separation code or narrative reason for separation.

The complete DPSOS 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 March 2012, for review and comment within 30 days. As of this date, this office has received no response.

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 an 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 and adopt its rationale as the basis for our conclusion the applicant has not been the victim of an error or injustice. Therefore, in the absence of evidence to the contrary, we find no basis to recommend granting the relief sought in this application.

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 AFBCMR Docket Number BC-2012-00633 in Executive Session on 20 September 2012, under the provisions of AFI 36-2603:

Panel Chair
Member
Member

The following documentary evidence pertaining to AFBCMR Docket Number BC-2012-00633 was considered:

- Exhibit A. DD Form 149, dated 7 Feb 12.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPSOS, dated 16 Mar 12.
- Exhibit D. Letter, SAF/MRBR, dated 27 Mar 12.

Panel Chair