

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-00649
COUNSEL: NONE
HEARING DESIRED: YES

APPLICANT REQUESTS THAT:

Her reentry (RE) code of "2B" (Involuntarily separated with a general or under other than honorable conditions discharge) be changed to a code that would allow her to reenlist.

APPLICANT CONTENDS THAT:

Her RE code has denied her reentry into military service.
The applicant provides no documentation in support of her appeal.
The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS:

The applicant enlisted in the Regular Air Force on 6 June 2006.

On 6 March 2008, the applicant was notified by her commander of his intent to recommend that she be discharged from the Air Force under the provisions of AFPD 36-32 and AFI 36-3208. The specific reasons are as follows:

a. Between on or about 8 December 2006 and 20 January 2008, the applicant received two Article 15s for failing to obey an order and for being AWOL.

b. Between on or about 12 October 2007 and 31 October 2007, the applicant received two Letters of Counseling for failing to attend a mandatory scheduled dental appointment and for failing to correct her faddish hair color after being told to do so on numerous occasions.

c. Between on or about 15 November 2007 and 18 December 2007, the applicant received two Letters of Reprimand (LORs) for failing to wear the appropriate USAF mandated physical fitness uniform to a scheduled PT test, as she was instructed to do and for utilizing her personal cell phone while assigned to a post after being briefed at guardmount numerous times that cell phones

are prohibited while on post. Additionally, she was seen by personnel with her eyes closed and head leaning against the driver's window, while on post.

She was advised of her rights in this matter and elected to submit a statement on her own behalf. In a legal review of the case file, the staff judge advocate found the case legally sufficient and recommended discharge. The discharge authority concurred with the recommendation and directed a general (under honorable conditions) discharge. The applicant was discharged on 18 March 2008. She served 1 year, 9 months and 14 days on active duty.

AIR FORCE EVALUATION:

AFPC/DPSOA recommends denial. DPSOA states the RE code 2B is required per AFI 36-2606, *Reenlistments in the USAF*, chapter 3, based on her involuntary discharge with a general (under honorable conditions) character of service. The applicant's discharge stemmed from her own actions with the seven infractions to include two Article 15s being listed in her discharge package. The applicant has not provided any proof of an error or injustice in reference to her RE code 2B. RE code 2B is correct per her general discharge.

The DPSOA complete evaluation is at Exhibit C.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

On 12 April 2012, a copy of the Air Force evaluation was forwarded to the applicant for review and response within 30 days. As of this date, no response has been received by this office.

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. After a thorough review of the evidence of record, it is our opinion that given the circumstances surrounding her separation from the Air Force, the RE code assigned was proper and in compliance with the

appropriate instructions. In addition, the applicant has not provided any evidence which would lead us to believe that a change to her RE code is warranted. Therefore, we agree with 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. In the absence of evidence to the contrary, we find no basis to recommend granting the relief sought in this application.

4. The applicant's case is adequately documented and it has not been shown that a personal appearance with or without counsel will materially add to our understanding of the issues involved. Therefore, the request for a hearing is not favorably considered.

THE BOARD DETERMINES THAT:

The applicant be notified the evidence presented did not demonstrate the existence of an 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-2012-00649 in Executive Session on 31 July 2012, under the provisions of AFI 36-2603:

The following documentary evidence pertaining to AFBCMR Docket Number BC-2012-00649 was considered:

- Exhibit A. DD Form 149, dated 6 March 2011.
- Exhibit B. Applicant's Master Personnel Records
- Exhibit C. Letter, AFPC/DPSOA, dated 20 March 2012.
- Exhibit D. Letter, SAF/MRBR, dated 12 April 2012.