

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: BC-2012-01205
COUNSEL: NONE
HEARING DESIRED: NO

APPLICANT REQUESTS THAT:

Her character of service be changed from uncharacterized to honorable.

APPLICANT CONTENDS THAT:

She is applying for a Concealed Handgun License (CDL) and her DD Form 214, *Certificate of Release or Discharge from Active Duty*, needs to reflect an honorable discharge.

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

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS:

The applicant is a former member of the Regular Air Force who entered active duty on 19 August 2008. On 4 December 2008, the applicant was referred to the Behavioral Analysis Service (BAS) because she reported she felt depressed about being on medical hold for a hip fracture. The BAS noted the applicant was not motivated to continue in the military and said she would prefer to be discharged.

On 28 January 2009, the applicant was notified of her commander's intent to recommend her for discharge for mental disorders. Her commander recommended her for an uncharacterized entry-level separation based on her diagnosis of adjustment disorder with mixed anxiety and depressed mood. The Department of Mental Health at Wilford Hall Medical Center determined her disorder was severe enough that her ability to function in the military was significantly impaired.

The applicant acknowledged receipt of the commander's intent and waived her rights to consult counsel and to submit statements in her own behalf. On 2 February 2009, the Assistant Staff Judge Advocate found the case to be legally sufficient. On 4 February the discharge authority approved the recommended discharge. The

applicant was released from active duty effective 6 February 2009 with uncharacterized service under the authority of Air Force Program Directive 36-32 and Air Force Instruction 36-3208, paragraph 5.12. Her narrative reason for separation is "Adjustment Disorder."

AIR FORCE EVALUATION:

AFPC/DPSOS recommends denial. DPSOS states that based on the documentation on file in the applicant's master personnel record, her discharge, to include the character of service, was consistent with the procedural and substantive requirements of the discharge instruction and was within the discretion of the discharge authority. Their office found no evidence of an error or injustice in the processing of the applicant's discharge.

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 11 May 2012, for review and comment within 30 days (Exhibit D). 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.
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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-2012-01205 in Executive Session on 14 November 2012, under the provisions of AFI 36-2603:

Panel Chair
Member
Member

The following documentary evidence pertaining to AFBCMR Docket Number BC-2012-01205 was considered:

- Exhibit A. DD Form 149, dated 27 Mar 12.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPSOS, dated 8 May 12.
- Exhibit D. Letter, SAF/MRBR, dated 11 May 12.

Panel Chair