



Subsequent to the file being found legally sufficient the discharge authority approved the recommendation and directed the applicant be discharged with an entry-level separation without probation and rehabilitation. The applicant was discharged effective 19 July 1988, with a narrative reason for separation of "entry-level performance", an "uncharacterized" characterization of service and was credited with 3 months and 2 days of active duty service.

Pursuant to the Board's request, the Federal Bureau of Investigation (FBI) provided a copy of an Investigative Report which is at Exhibit C.

On 19 September 2012, a copy of the FBI Investigative report was forwarded to the applicant along with a request for post service documentation for review and comment within 30 days (Exhibit D).

In response, the applicant provided a statement indicating that although he is currently incarcerated; he accomplished many honorable and admirable things in his life following his discharge from the Air Force. His first and most important achievement was the birth of his daughter who is currently in training to be a medic and hopes to become a surgeon. He put all his energy into supporting his family by working various jobs and following the American dream of buying a home. He served as president of the PTA at his daughter's elementary school while also earning a certificate of completion in a statistical process control course at a local community college. In the years after his marriage he worked for four organizations including the American Red Cross and consistently worked toward bettering himself and his situation for his family's sake.

Aside from his current and slight detour in his life, for which he is unquestionably remorseful, he has tried to do the right thing. It is for this reason that he is applying for clemency and an upgrade of his character of discharge from the Air Force.

The applicant's complete response, with attachments, is at Exhibit D.

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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. We took notice

of the applicant's complete submission in judging the merits of the case; however, we find no evidence of an error or injustice that occurred in the discharge processing. Based on the available evidence of record, it appears the discharge was consistent with the substantive requirements of the discharge regulation and within the commander's discretionary authority. 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.

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The following members of the Board considered this application BC-2012-01969 in Executive Session on 27 November 2012, under the provisions of AFI 36-2603:

, Panel Chair  
, Member  
, Member

The following documentary evidence was considered:

- Exhibit A. DD Form 149, dated 25 April 2012, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. FBI Report.
- Exhibit D. Letter, AFBCMR, dated 19 September 2012.
- Exhibit E. Letter, Applicant, dated 25 September 2012, w/atch.

Panel Chair