

satisfactorily in any higher grade and will not advance under the provisions of Section 8964, Title 10, United States Code."

The applicant retired effective 1 May 1996, in the grade of TSgt.

AIR FORCE EVALUATION:

AFPC/DPSOR recommends denial. DPSOR states the applicant did not submit any evidence or identify an error or injustice in the grade determination process. Absent evidence to the contrary, there is a presumption of regularity in which the applicant was afforded due process and, that the discharge was consistent with procedural and substantive requirements of the grade determination.

The complete DPSOR 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 2 July 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-2012-01975 in Executive Session on 15 February 2013, under the provisions of AFI 36-2603:

, Panel Chair
, Member
, Member

The following documentary evidence was considered in connection with AFBCMR Docket Number BC-2012-01975:

- Exhibit A. DD Form 149, dated 24 Apr 12, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, AFPC/DPSOR, dated 21 Jun 12.
- Exhibit D. Letter, SAF/MRBR, dated 2 Jul 12.

Panel Chair