

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: 98-02710

COUNSEL: None

FEB 5 1999

HEARING DESIRED: No

Applicant requests that her general discharge be upgraded to honorable. Applicant's submission is at Exhibit A.

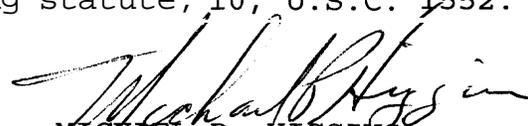
The appropriate Air Force office evaluated applicant's request and provided an advisory opinion to the Board recommending the application be denied (Exhibit C). The advisory opinion was forwarded to the applicant for review and response (Exhibit D). As of this date, no response has been received by this office.

After careful consideration of applicant's request and the available evidence of record, we find insufficient evidence of error or injustice to warrant corrective action. The facts and opinions stated in the advisory opinion appear to be based on the evidence of record and have not been rebutted by applicant. Absent persuasive evidence applicant was denied rights to which entitled, appropriate regulations were not followed, or appropriate standards were not applied, we find no basis to disturb the existing record.

Accordingly, applicant's request is denied.

The Board staff is directed to inform applicant of this decision. Applicant should also be informed that this decision is final and will only be reconsidered upon the presentation of new relevant evidence which was not reasonably available at the time the application was filed.

Members of the Board Mr. Michael P. Higgins, Mr. Richard A. Peterson, and Mr. Patrick R. Wheeler considered this application on 2 February 1999 in accordance with the provisions of Air Force Instruction 36-2603, and the governing statute, 10, U.S.C. 1552.


MICHAEL P. HIGGINS
Panel Chair

Exhibits:

- A. Applicant's DD Form 149
- B. Available Master Personnel Records
- C. Advisory Opinion
- D. AFBCMR Ltr Forwarding Advisory Opinion



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS AIR FORCE PERSONNEL CENTER
RANDOLPH AIR FORCE BASE TEXAS

NOV 04 1998

MEMORANDUM FOR AFBCMR

FROM: HQ AFPC/DPPRS
550 C Street West Ste 11
Randolph AFB TX 78150-4713

SUBJECT: Application for Correction of Military Records [REDACTED]

The applicant, while serving in the grade of airman basic, was discharged from the Air Force 29 Jul 82 under the provisions of AFM 39-12 (Unsuitability-Apathy, Defective Attitude) with an under honorable conditions (general) discharge. She served 01 year 06 months and 16 days total active service.

Requested Action. The applicant is requesting her discharge be upgraded to honorable.

Basis for Request. Applicant does not claim an error or injustice in the discharge she received she only states the reason it has been more than three years since the alleged injustice was discovered is because of ignorance of the law. That she was not aware that the discharge after one year of inactive service could be upgraded to honorable.

Facts. On 02 Jul 82, applicant was notified by her commander that involuntary discharge action had been initiated against her for defective attitude as evidenced by her failure to maintain prescribed standards of military deportment and her inability to expand efforts constructively as demonstrated by her receipt of Art 15 punishment on 14 Jan 82, for failure to go at the time prescribed to her appointed place of duty. She received a second Art 15 on 18 Jun 82, for her failure to go. In addition, during the period 05 Mar 82 to 08 Jun 82, she had received one Letter of Reprimand, for having an unauthorized male guest in dormitory room after visiting hours, and one Letter of Counseling, for being late to work. Applicant was advised she had a right to consult counsel and the right to submit statements in her own behalf. On 13 Jul 82 the applicant was interviewed by the appointed individual evaluation officer. The evaluation officer found the applicant to be unsuitable for further military service because of a failure to maintain prescribed standards of military deportment. Consistent with his findings, the evaluation officer recommended discharge with a general discharge certificate. The case was reviewed by the base legal office and found to be legally sufficient to support discharge. The discharge authority approved the recommendation for discharge and directed that the applicant be furnished a general discharge certificate without probation.

Discussion. This case has been reviewed for separation processing and there are no errors or irregularities causing an injustice to the applicant. The discharge complies with directives in effect at the time of her discharge. The records indicate member's military service was reviewed and appropriate action was taken.

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Recommendation. Applicant did not identify any specific errors in the discharge processing nor provide facts which warrant an upgrade of the discharge she received. Accordingly, we recommend applicant's request be denied. She not has filed a timely request.



JOHN C. WOOTEN, DAF
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Military Personnel Mgmt Spec
Separations Branch
Dir of Personnel Program Management

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