

AUG 19 1998

RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: 98-01116

COUNSEL: NONE

HEARING DESIRED: NO

[REDACTED]

Applicant requests that 21 days of leave be restored to his leave account. Applicant's submission is at Exhibit A.

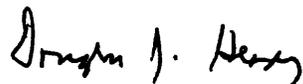
The appropriate Air Force office evaluated applicant's request and provided an advisory opinion to the Board recommending the application be denied (Exhibit B). The advisory opinion was forwarded to the applicant for review and response (Exhibit C). Applicant's response to the advisory opinion is at Exhibit D.

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 opinions appear to be based on the evidence of record and have not been adequately 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. Douglas J. Heady, Mr. Joseph G. Diamond, and Mr. Henry Romo, Jr. considered this application on 11 Aug 98 in accordance with the provisions of Air Force Instruction 36-2603 and the governing statute, 10 U.S.C. 1552.



DOUGLAS J. HEADY  
Panel Chair

Exhibits:

- A. Applicant's DD Form 149
- B. Advisory Opinion
- C. SAF/MIBR Ltr Forwarding Advisory Opinion
- D. Applicant's Response



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

01 MAY 1998

MEMORANDUM FOR AFBCMR

FROM: HQ AFPC/DPSFC  
550 C Street West, Ste 37  
Randolph AFB TX 78150-4739

SUBJECT: Application for Correction of Military Records

Requested Action and Basis for Request. Restore 21 days charged as leave for 21 Jun - 11 Jul 97. Applicant states he understood he would be on convalescent leave during this time.

Facts and Discussion. Applicant was on leave en route between assignment from [REDACTED] AFB to [REDACTED] AB [REDACTED]. Leave history shows 8 days charged leave 1 Jun - 8 Jun 97, 7 days convalescent leave 14 - 20 Jun 97, and 39 days charged leave 21 Jun - 29 Jul 97. Applicant states he reported to [REDACTED] AFB hospital on 9 Jun due to acute low back pain and leg weakness. He was diagnosed as **having a bulging disk** and was admitted to the hospital for two days. On 11 Jun 97 he flew to [REDACTED] Medical Center where he was seen by a neurosurgeon. Applicant states he understood he would be on convalescent leave for 30 days upon returning to [REDACTED] on 13 Jun, his leave location between assignments. On 20 Jul 97, applicant received the doctor's statement dated 17 Jun 97 and discovered the convalescent leave was not for one (1) month. The doctor's statement recommends one (1) week convalescent leave and a temporary profile during this period of time. In this case, applicant failed to obtain the doctor's memorandum before he left [REDACTED] Medical Center. Further, his unit commander at Eglin AFB would have been the approval authority for the convalescent leave based on the recommendation of the attending physician. In this case, applicant was properly charged leave en route between assignments for the days in excess of the authorized 7 days convalescent leave and allowable travel time. We cannot support granting relief.

Recommendation. Deny. However, if the AFBCMR decides to grant relief, restore 21 days to current leave account.

// SIGNED //

Chief, Commanders' Programs Branch

[REDACTED]

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