

RECORD OF PROCEEDINGS
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

JUN 12 1998

IN THE MATTER OF:

DOCKET NUMBER: 96-00702

COUNSEL: NONE

HEARING DESIRED: YES

APPLICANT REQUESTS THAT:

His undesirable discharge be upgraded to honorable.

APPLICANT CONTENDS THAT:

The reasons the applicant believes the records to be in error or unjust and the evidence submitted in support of the appeal are at Exhibit A.

Pursuant to the Board's request, the applicant provided additional documentation, which is attached at Exhibit C.

Pursuant to the Board's request, the Federal Bureau of Investigation, Washington, D.C., indicated on the basis of the data furnished they were unable to locate an arrest record.

STATEMENT OF FACTS:

On 18 Mar 55, the applicant was discharged from the Air Force with an undesirable discharge under the provisions of AFR 39-17 (Unfitness). He was serving in the grade of airman basic and was credited with 1 year, 7 months and 19 days of active duty service.

The relevant facts pertaining to this application and surrounding the applicant's separation from the Air Force are contained in his military records which are attached at Exhibit B. Accordingly, there is no need to recite these facts in this Record of Proceedings.

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. Sufficient relevant evidence has been presented to demonstrate the existence of probable error or injustice. The evidence of record reflects that the applicant was discharged for unfitness. No evidence has been presented which would lead us to believe his discharge was improper or contrary to the directive under which it was effected. However, we noted that the applicant was discharged in 1955. In view of the passage of time and the post-service documentation provided by the applicant, we believe the continued stigma of an undesirable discharge is unduly harsh and no longer serves any useful purpose. Therefore, we are of the opinion that upgrading the applicant's discharge to general, based on clemency, would be appropriate. Accordingly, we recommend that the applicant's undesirable discharge be upgraded to general.
4. We noted the applicant's request that his undesirable discharge be upgraded to honorable. However, we do not believe an honorable discharge is warranted due to the limited documentation provided by the applicant regarding his activities since his discharge from the service. However, if the applicant were to provide additional documentation concerning his post-service adjustment, we may be inclined to reconsider his request.

THE BOARD RECOMMENDS THAT:

The pertinent military records of the Department of the Air Force relating to APPLICANT, be corrected to show that on 18 Mar 55, he was discharged with service characterized as general (under honorable conditions).

The following members of the Board considered this application in Executive Session on 10 Mar 98, under the provisions of AFI 36-2603:

Ms. Patricia J. Zarodkiewicz, Panel Chair
Mr. Kenneth L. Reinertson, Member
Ms. Olga M. Crerar, Member

All members voted to correct the records, as recommended. The following documentary evidence was considered:

- Exhibit A. DD Form 149, dated 6 Mar 96, w/atchs.
- Exhibit B. Applicant's Master Personnel Records.
- Exhibit C. Letter, applicant, dated 28 Nov 97, w/atchs.



PATRICIA J. ZARODKIEWICZ
Panel Chair



DEPARTMENT OF THE AIR FORCE
WASHINGTON, DC

JUN 12 1998

Office of the Assistant Secretary

AFBCMR 96-00702

MEMORANDUM FOR THE CHIEF OF STAFF

Having received and considered the recommendation of the Air Force Board for Correction of Military Records and under the authority of Section 1552, Title 10, United States Code (70A Stat 116), it is directed that:

The pertinent military records of the Department of the Air Force relating to [REDACTED], be corrected to show that on 18 ~~Mar~~ 55, he was discharged with service characterized as general (under honorable conditions).


JOE G. LINEBERGER
Director

Air Force Review Boards Agency