RECORD OF PROCEEDINGS

AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF: DOCKET NUMBER: BC-2010-03075

XXXXXXX COUNSEL: NONE

HEARING DESIRED: NO

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APPLICANT REQUESTS THAT:

His narrative reason for separation of “Entry Level Performance and Conduct” be changed to an “honorable medical discharge.”

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APPLICANT CONTENDS THAT:

He was diagnosed as a paranoid schizophrenic while in the Air Force and was told he was being discharged with an honorable medical discharge. He also does not understand why his narrative reason for separation includes mention of his conduct when he did everything he was told to do while in the service.

The applicant’s complete submission is at Exhibit A.

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STATEMENT OF FACTS:

The relevant facts pertaining to this application, extracted from the applicant’s military personnel records, are contained in the letter prepared by the appropriate office of the Air Force. Accordingly, there is no need to recite these facts in this Record of Proceedings.

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AIR FORCE EVALUATION:

The AFBCMR Medical Consultant recommends denial, indicating the applicant has not met the burden of proof of an error or injustice that warrants the desired change of the record. The record shows the applicant entered military service on 24 Oct 84. His service medical records indicate that he was subjected to a mental health evaluation which included a battery of psychological assessments with results that suggest he was dissatisfied with the Security Police Air Force Specialty (AFS) and was willing to do whatever it took to meet his own needs. The psychologist entered a diagnosis of malingering with immature and schizoid type personality traits and recommended his administrative separation. The applicant acknowledged receipt of the commander’s notification letter, as well as his right to consult counsel and submit statements in his own behalf. The discharge action was found to be legally sufficient on 29 Mar 85 and the discharge authority subsequently approved the commander’s recommendation. On 5 Apr 85, the applicant was furnished an Entry-level separation (ELS) with uncharacterized service. The applicant was diagnosed with a condition not considered a disability which did not qualify him for a disability separation. Under current standards an individual who has demonstrated the inability to adjust to military service, or an inability to perform military duties, within the first 180 days of service, may be discharged as an ELS. Due to the relatively brief period of service, it has been determined inappropriate and unfair to the member or the department, to characterize such a brief period of service.

A complete copy of the AFBCMR Medical Consultant’s evaluation is at Exhibit C.

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APPLICANT'S REVIEW OF AIR FORCE EVALUATION:

A copy of the AFBCMR Medical Consultant’s evaluation was forwarded to applicant on 29 Apr 11 for review and comment within 30 days. As of this date, no response has been received by this office (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 an error or injustice. 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 adequately rebutted by the applicant. Absent persuasive evidence the applicant was denied rights to which he was entitled, appropriate regulations were not followed, or appropriate standards were not applied, we find no basis to disturb the existing record.

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THE BOARD DETERMINES THAT:

The applicant be notified the evidence presented did not demonstrate the existence of material error or injustice; the application was denied without a personal appearance; and 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 AFBCMR Docket Number BC-2010-03075 in Executive Session on 2 Jun 11, under the provisions of AFI 36-2603:

The following documentary evidence was considered:

Exhibit A.  DD Form 149, dated 18 Aug 10.

Exhibit B.  Applicant's Master Personnel Records.

Exhibit C.  Letter, AFBCMR Medical Consultant,

dated 27 Apr 11.

Exhibit D.  Letter, SAF/MRBR, dated 29 Apr 11.