



UNITED STATES AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

RECORD OF PROCEEDINGS

IN THE MATTER OF:

DOCKET NUMBER: BC-2024-00272

Work-Product

COUNSEL: NONE

HEARING REQUESTED: YES

APPLICANT'S REQUEST

His discharge be upgraded and he be issued a DD Form 214, *Certificate of Release or Discharge from Active Duty*.

APPLICANT'S CONTENTIONS

He is unaware of his discharge type.

The applicant's complete submission is at Exhibit A.

STATEMENT OF FACTS

The applicant is a former delayed entry program (DEP) Air Force airman basic (E-1).

On 25 Jul 80, the applicant signed a DD Form 4, *Enlistment/Reenlistment Document Armed Forces of the United States*, enlisting in the United States Air Force Reserve DEP.

On 16 Dec 80, the discharge authority directed the applicant be discharged from the DEP after being found morally disqualified for an active-duty enlistment due to receiving a theft by taking charge.

For more information, see the excerpt of the applicant's record at Exhibit B and the advisory at Exhibit E.

AIR FORCE EVALUATION

AFPC/DPMSSR recommends denying the application, finding no error or injustice with the discharge process. In accordance with Title 10, U.S.C. Section 1168: *Discharge or release from active duty: limitation*; DoDI 1336.01, *Certificate of Release or Discharge from Active Duty (DD Form 214/5 Series)*; and AFR 35-6, *Separation Documents*, the DD Form 214 is prepared in accordance with the aforementioned publications and is used to record qualifying active-duty

AFBCMR Docket Number BC-2024-00272

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Controlled by: SAF/MRB

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Limited Dissemination Control: N/A

POC: SAF.MRBC.Workflow@us.af.mil

service. The records indicate the applicant enlisted into the DEP on 25 Jul 80 and was released on 16 Dec 80 without serving on active duty; therefore, he is not eligible for a DD Form 214.

The complete advisory opinion is at Exhibit E.

APPLICANT'S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 3 Apr 25 for comment (Exhibit F) but has received no response.

FINDINGS AND CONCLUSION

1. The application was not timely filed. The Board also notes the applicant did not file the application within three years of discovering the alleged error or injustice, as required by Section 1552 of Title 10, United States Code, and Department of the Air Force Instruction 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*. While the applicant asserts a date of discovery within the three-year limit, the Board does not find the assertion supported by a preponderance of the evidence.

2. The applicant exhausted all available non-judicial relief before applying to the Board.

3. After reviewing all Exhibits, the Board concludes the applicant is not the victim of an error or injustice. The Board concurs with the rationale and recommendation of AFPC/DPMSSR and finds a preponderance of the evidence does not substantiate the applicant's contentions. The applicant did not serve any period of active-duty, therefore, he is not eligible to receive a DD Form 214. Therefore, the Board recommends against correcting the applicant's records.

4. The applicant has not shown a personal appearance, with or without counsel, would materially add to the Board's understanding of the issues involved.

RECOMMENDATION

The Board recommends informing the applicant the evidence did not demonstrate material error or injustice, and the Board will reconsider the application only upon receipt of relevant evidence not already presented.

CERTIFICATION

The following quorum of the Board, as defined in DAFI 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 2.1, considered Docket Number BC-2024-00272 in Executive Session on 6 Jun 25:

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, Panel Chair

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, Panel Member

AFBCMR Docket Number BC-2024-00272

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Work-Product, Panel Member

All members voted against correcting the record. The panel considered the following:

Exhibit A: Application, DD Form 149, dated 5 Dec 23.

Exhibit B: Documentary Evidence, including relevant excerpts from official records.

Exhibit C: Letter, SAF/MRBC, w/atchs (Post-Service Request and Liberal Consideration Guidance), dated 22 Apr 24.

Exhibit D: FBI Report, dated, 2 Aug 24.

Exhibit E: Advisory, AFPC/DPMSSR, dated 3 Apr 25.

Exhibit F: Notification of Advisory, SAF/MRBC to Applicant, dated 3 Apr 25.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by DAFI 36-2603, paragraph 4.12.9.

6/25/2025

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Board Operations Manager, AFBCMR
Signed by: USAF

AFBCMR Docket Number BC-2024-00272

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