

## RECORD OF PROCEEDINGS

**IN THE MATTER OF:**

**DOCKET NUMBER:** BC-2021-03651

XXXXXXXXXX

**COUNSEL:** NONE

**HEARING REQUESTED:** NO

### APPLICANT'S REQUEST

His break in service following his separation from active duty and appointment to the Air Force Reserve (AFR) be eliminated.

### APPLICANT'S CONTENTIONS

Through no fault of his own, the applicant had a break in service when he transferred from active duty to the AFR. The applicant was a lieutenant colonel (O-5) select on active duty when his transfer to the AFR was approved. The applicant was erroneously scrolled and appointed to the AFR by the Secretary of Defense (SECDEF) as an O-5 and approved. The break in service occurred when he had to be re-scrolled and appointed by SECDEF to the AFR.

The applicant's complete submission is at Exhibit A.

### STATEMENT OF FACTS

The applicant is an AFR major (O-4).

According to the Military Personnel Data System (MilPDS), *Officer Grade/DOR Update Notice*, provided by the applicant, dated 26 May 17, reflects the applicant has a projected grade of lieutenant colonel (O-5), with a promotion sequence number of 1206.

On 5 May 18, according to DD Form 214, *Certificate of Release or Discharge from Active Duty*, the applicant separated with 12 years, 10 months, and 19 days of active service.

On 27 Jun 18, according to Reserve Order XX-XXXX, dated 1 Feb 19, the applicant transferred to the AFR.

For more information, see the advisory at Exhibit B.

### AIR FORCE EVALUATION

ARPC/DPAR, recommends granting the application. The applicant was separated on 5 May 18 and assigned to a scroll, which was approved by the SECDEF on 27 Jun 18. An appointment order was created on 1 Feb 19 that appointed the applicant to the AFR on 27 Jun 18. Based on the documentation provided by the applicant and analysis of the facts, there is evidence of an error or injustice to the member's record pertaining to the break in service incurred when he transferred from Regular Air Force to the AFR.

The complete advisory opinion is at Exhibit B.

### APPLICANT'S REVIEW OF AIR FORCE EVALUATION

The Board sent a copy of the advisory opinion to the applicant on 3 Feb 22 for comment (Exhibit C), but has received no response.

## **FINDINGS AND CONCLUSION**

1. The application was timely filed.
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 the victim of an error or injustice. The Board concurs with the rationale and recommendation of ARPC/DPAR and finds a preponderance of the evidence substantiates the applicant's contentions. Therefore, the Board recommends correcting the applicant's records as indicated below.

## **RECOMMENDATION**

The pertinent military records of the Department of the Air Force relating to the APPLICANT be corrected to show that he was not released from the Air Force on 5 May 2018, but on that date, he was continued on active duty until 26 June 2018, on which date he was released from active duty.

## **CERTIFICATION**

The following quorum of the Board, as defined in Air Force Instruction (AFI) 36-2603, *Air Force Board for Correction of Military Records (AFBCMR)*, paragraph 1.5, considered Docket Number BC-2021-03651 in Executive Session on 6 Apr 22:

, Panel Chair  
, Panel Member  
, Panel Member

All members voted to correct the record. The panel considered the following:

Exhibit A: Application, DD Form 149, w/atchs, dated 11 Nov 21.  
Exhibit B: Advisory opinion, ARPC/DPAR, w/atchs, dated 31 Jan 22.  
Exhibit C: Notification of advisory, SAF/MRBC to applicant, dated 3 Feb 22.

Taken together with all Exhibits, this document constitutes the true and complete Record of Proceedings, as required by AFI 36-2603, paragraph 4.11.9.

**X**

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