

TYPE GEN		PERSONAL APPEARANCE		X RECORD REVIEW						
COUNSEL		NAME OF COUNSEL AND OR ORGANIZATION		ADDRESS AND OR ORGANIZATION OF COUNSEL						
YES	NO	NONE								
	X									
MEMBERS SITTING				VOTE OF THE BOARD						
				HON	GEN	UOTHC	OTHER	DENY		
								X		
								X		
								X		
								X		
								X		
ISSUES		INDEX NUMBER		EXHIBITS SUBMITTED TO THE BOARD						
A94.53, A94.05, A93.09		A67.00		1	ORDER APPOINTING THE BOARD					
				2	APPLICATION FOR REVIEW OF DISCHARGE					
				3	LETTER OF NOTIFICATION					
				4	BRIEF OF PERSONNEL FILE					
HEARING DATE		CASE NUMBER		COUNSEL'S RELEASE TO THE BOARD						
02-08-07		FD2002-0087		ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE						
				TAPE RECORDING OF PERSONAL APPEARANCE HEARING						
APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE										
REMARKS										
<p>Case heard at Washington, D.C.</p> <p>Advise applicant of the decision of the Board and the right to a personal appearance with/without counsel.</p> <p>DD Form 149 submitted. The case will be forwarded to the AFBCMR for further processing.</p>										
				INDORSEMENT						
				DATE: 02-08-08						
TO:				FROM:						
SAF/MIBR 660 C STREET WEST SUITE 40				SECRETARY OF THE AIR FORCE PERSONNEL COUNCIL AIR FORCE DISCHARGE REVIEW BOARD						

AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

CASE NUMBER

FD2002-0087

GENERAL: The applicant appeals for upgrade of discharge to honorable, to change the reason and authority for the discharge, and to change his reenlistment code.

The applicant was offered a personal appearance before the Discharge Review Board but declined to exercise this right.

The attached brief contains available pertinent data on the applicant and the factors leading to the discharge.

FINDINGS: Upgrade of discharge, change of reason and authority for discharge, and change of reenlistment code are denied.

The Board finds that neither the evidence of record nor that provided by the applicant substantiates an inequity or impropriety that would justify a change of discharge.

Issues. Applicant was discharged for misconduct. He had an Article 15 for failure to go and for dereliction of duty due to failure to follow instructions from his supervisor thus causing a customer product interruption. Member had no Enlisted Performance Reports. Member was seen at the Mental Health clinic and acknowledged he had had some problems, especially with finances, since entering the Air Force. He was diagnosed with a "phase of life problem" at that time. Member's discharge file was unavailable to the Board for review, therefore the Board was unable to ascertain if there was other misconduct on member's part, or additional bases for the discharge. The board also could not determine if member consulted counsel or submitted statements on his own behalf at the time of the discharge. When requested to provide any pertinent information he may have about the discharge file or his record of service, applicant failed to respond to the request. Lacking evidence from the applicant to the contrary, the Board relies on the presumption of regularity and finds the discharge proper and without basis for an upgrade. No inequity or impropriety could be found in this discharge in the course of the records review.

If the applicant can provide information about his discharge, and documented evidence to substantiate an issue, he should consider exercising his right to a personal appearance hearing, and be prepared to present the Board with evidence of an inequity or impropriety as well as any exemplary post-service accomplishments and contributions to the community.

CONCLUSIONS: The Discharge Review Board concludes that the discharge was consistent with the procedural and substantive requirements of the discharge regulation and was within the discretion of the discharge authority and that the applicant was provided full administrative due process.

DEPARTMENT OF THE AIR FORCE
AIR FORCE DISCHARGE REVIEW BOARD
ANDREWS AFB, MD

[REDACTED]
(Former AB) (HGH AMN)

MISSING DOCUMENTS

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 95/01/11 UP AFI 36-3208 (Misconduct). Appeals for Honorable Discharge, to Change the Reason and Authority for Discharge, and to Change the RE Code. Disch.

2. **BACKGROUND:**

a. DOB: 75/08/24. Enlmt Age: 17 7/12. Disch Age: 19 4/12. Educ: HS DIPL. AFQT: N/A. A-70, E-88, G-82, M-48. PAFSC: 3C031 - Communications-Computer Systems Operations Journeyman. DAS: 93/08.

b. Prior Sv: (1) AFRes 93/03/31 - 93/06/20 (2 months 20 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 93/06/21 for 4 yrs. Svd: 01 Yrs 06 Mo 21 Das, all AMS.

b. Grade Status: AB - 94/11/30 (Article 15, 94/11/30)
AMN - 93/12/21

c. Time Lost: none.

d. Art 15's: (1) 94/11/30, Randolph AFB, TX - Article 86. You did, on or about 5 Nov 94, without authority, fail to go at the time prescribed to your appointed place of duty. Article 92. You, who knew or should have known of your duties, on or about 7 Nov 94, were derelict in the performance of those duties in that you willfully failed to follow instructions from your supervisor regarding aborting a program, as you knew it was your duty to do and thereby caused a customer not to receive output in a timely manner. (No appeal) (No mitigation)

e. Additional: Unknown.

f. CM. none

TAMS: (01) Yrs (06) Mos (21) Das

4. BASIS ADVANCED FOR REVIEW: Appln (DD Fm 293) dtd 02/01/17.

(Change Discharge to Honorable, Change the Reason and Authority, and Change the RE Code)

Issue 1: Reason for discharge is in error due to I was not in trouble I was told by C.O. that I would have the ability to reenlist at a later date. 201 (sic) file reflects this.

ATCH

1. DD Form 149.
2. DD Form 293.

02/06/19/ia