

**AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD**

<b>NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)</b> [REDACTED]		<b>GRADE</b> [REDACTED]	<b>AFSN/SSAN</b> [REDACTED]												
<b>TYPE</b>	<b>PERSONAL APPEARANCE</b>	<b>X RECORD REVIEW</b>													
<table border="1"> <tr> <td colspan="2"><b>COUNSEL</b></td> <td rowspan="3"><b>NAME OF COUNSEL AND OR ORGANIZATION</b></td> <td colspan="3" rowspan="3"><b>ADDRESS AND OR ORGANIZATION OF COUNSEL</b></td> </tr> <tr> <td><b>YES</b></td> <td><b>No</b></td> </tr> <tr> <td></td> <td><b>X</b></td> </tr> </table>		<b>COUNSEL</b>		<b>NAME OF COUNSEL AND OR ORGANIZATION</b>	<b>ADDRESS AND OR ORGANIZATION OF COUNSEL</b>			<b>YES</b>	<b>No</b>		<b>X</b>				
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<b>YES</b>	<b>No</b>														
	<b>X</b>														
<b>MEMBER SITTING</b>		<b>VOTE OF THE BOARD</b>													
		<b>HON</b>	<b>GEN</b>	<b>UOTHC</b>	<b>OTHER</b>	<b>DENY</b>									
[REDACTED]						<b>X</b>									
[REDACTED]						<b>X</b>									
[REDACTED]						<b>X</b>									
[REDACTED] BY						<b>X</b>									
[REDACTED]						<b>X</b>									
<b>ISSUES</b> A93.01	<b>INDEX NUMBER</b> A67.10	<b>EXHIBITS SUBMITTED TO THE BOARD</b>													
		<b>1</b>	ORDER APPOINTING THE BOARD												
		<b>2</b>	APPLICATION FOR REVIEW OF DISCHARGE												
		<b>3</b>	LETTER OF NOTIFICATION												
		<b>4</b>	BRIEF OF PERSONNEL FILE												
			COUNSEL'S RELEASE TO THE BOARD												
<b>HEARING DATE</b> 23 Sep 2003	<b>CASE NUMBER</b> FD-2003-00288		ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE												
			TAPE RECORDING OF PERSONAL APPEARANCE												
<b>APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE</b>															
Case heard at Washington, D.C.															
Advise applicant of the decision of the Board, the right to a personal appearance with/without counsel, and the right to submit an application to the AFBCMR															
<b>SIGNATURE OF RECORDER</b> [REDACTED]		<b>SIGNATURE</b> [REDACTED]													
<b>ENDORSEMENT</b>		<b>DATE: 9/23/2003</b>													
<b>TO:</b> SAF/MRBR 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742		<b>FROM:</b> SECRETARY OF THE AIR FORCE PERSONNEL COUNCIL AIR FORCE DISCHARGE REVIEW BOARD 1535 COMMAND DR, EE WING, 3RD FLOOR ANDREWS AFB, MD 20762-7002													

**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

FD2003-00288

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

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

Issues. Applicant was discharged for minor disciplinary infractions. He had two Articles 15, and a vacation of suspended punishment. His misconduct included two incidents of underage drinking, and failing to obey a lawful regulation. At the time of the discharge, member waived his right to consult counsel and submit statements in his own behalf. The Board noted member was the same age as other airmen who had adhered to the standards when his misconduct occurred, and he knew right from wrong. He was counseled in an effort to help him correct his deficiencies and had several opportunities to improve his behavior. He failed to respond to those rehabilitative efforts. He was responsible for his actions, and therefore held accountable for them. No inequity or impropriety was found in this discharge in the course of the records review.

**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.

In view of the foregoing findings the board further concludes that there exists no legal or equitable basis for upgrade of discharge, thus the applicant's discharge should not be changed.

Attachment:  
Examiner's Brief

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

[REDACTED]

(Former AB) (HGH A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 11 Jun 03 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge, Change to Reentry Code, Reason, and Authority.

2. **BACKGROUND:**

a. DOB: 20 Sep 83. Enlmt Age: 18 3/12. Disch Age: 19 8/12. Educ:HS DIPL. AFQT: N/A. A-81, E-78, G-68, M-81. PAFSC: 2A312 - Avionics Systems Helper. DAS: 4 Nov 02.

b. Prior Sv: (1) AFRes 28 Dec 01 - 24 Jun 02 (5 Months 28 Days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enld as AB 25 Jun 02 for 6 yrs. Svd: 0 Yrs 11 Mos 18 Das, all AMS.

b. Grade Status: AB - 24 Mar 03 (Article 15, 24 Mar 03)  
AMN - 12 Feb 03 (Vacation of Article 15, 7 Mar 03)  
A1C - 9 Aug 03

c. Time Lost: None.

- d. Art 15's: (1) 24 Mar 03, Shepard AFB, TX - Article 92. You, who knew or should have known of your duties, on or about 16 Feb 03, were derelict in the performance of those duties in that you willfully failed to refrain from consuming alcoholic beverages while under the legal drinking age of 21, as it was your duty to do. Reduction to AB. (No appeal) (No mitigation)
- (2) 7 Mar 03, Vacation, Sheppard AFB, TX - Article 92. You, who knew or should have known of your duties, on or about 16 Feb 03, were derelict in the performance of those duties in that you willfully failed to refrain from consuming alcoholic beverages while under the legal drinking age of 21, as it was your duty to do. Reduction to AMN. (No appeal) (No mitigation)
- (3) 12 Feb 03, Sheppard AFB, TX - Article 92. You, who knew or should have known of your duties, on or about 10 Jan 03, were derelict in the performance of those duties in that you willfully failed to refrain from consuming alcoholic beverages while under the legal drinking age of 21, and failed to remain within the allowable milage radius of phase II of 25 miles, as it was your duty to