

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)

GRADE

AFSN/SSAN

SRA

TYPE GEN

PERSONAL APPEARANCE

X

RECORD REVIEW

COUNSEL

NAME OF COUNSEL AND OR ORGANIZATION

ADDRESS AND OR ORGANIZATION OF COUNSEL

YES

No

X

MEMBER SITTING

VOTE OF THE BOARD

HON

GEN

UOHC

OTHER

DENY

X

X

X

X

X

ISSUES

A94.53

INDEX NUMBER

A67.00

EXHIBITS SUBMITTED TO THE BOARD

1

ORDER APPOINTING THE BOARD

2

APPLICATION FOR REVIEW OF DISCHARGE

3

LETTER OF NOTIFICATION

4

BRIEF OF PERSONNEL FILE

COUNSEL'S RELEASE TO THE BOARD

ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE

TAPE RECORDING OF PERSONAL APPEARANCE

HEARING DATE

06 Aug 2004

CASE NUMBER

FD-2004-00158

APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

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.

TO:

SAF/MRBR
550 C STREET WEST, SUITE 40
RANDOLPH AFB, TX 78150-4742

FROM:

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

FD-2004-00158

GENERAL: The applicant appeals for upgrade of discharge to honorable.

The applicant was offered a personal appearance before the Discharge Review Board (DRB) 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 is denied.

The Board finds the applicant submitted no issues contesting the equity or propriety of the discharge, and after a thorough review of the record, the Board was unable to identify any that would justify a change of discharge.

ISSUE: Applicant was discharged for misconduct. Unfortunately, member's discharge processing files, most of the personnel files, and his medical record were all unavailable to the Board for review due to being missing from the record. Because member's discharge file was unavailable to the Board for review, the Board was unable to conclusively ascertain what misconduct on member's part formed the basis for the discharge. The Board also could not conclusively determine if at the time of the discharge member consulted counsel, submitted statements on his own behalf, or waived those rights. There was one Enlisted Performance Report available for the Board's review and it noted that he lacked initiative and motivation, missed mandatory training, was unable to deal with stressful situations, lost his temper easily, and projected a hostile demeanor. It further noted he required constant supervision, lacked self confidence, fostered friction in his peer group, and he showed little desire to improve his overall performance. The Board is not able to substantiate any inequity or impropriety in the discharge actions, and lacking documented 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.

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

(Former SRA) (HGH SRA)

MISSING DISCHARGE DOCUMENTS

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr Barksdale AFB, LA on 10 Sep 97 UP AFI 36-3208, para 5 (Misconduct). Appeals for Honorable Discharge.
2. **BACKGROUND:**
- a. DOB: 21 Nov 74. Enlmt Age: 18 6/12. Disch Age: 22 9/12. Educ: HS DIPL. AFQT: N/A. A-Unknown, E-Unknown, G-Unknown, M-Unknown. PAFSC: 3M051 - Services Journeyman. DAS: Unknown.
- b. Prior Sv: (1) AFRes 16 Jun 93 - 13 Dec 93 (5 months 28 days) (Inactive).
3. **SERVICE UNDER REVIEW:**
- a. Enlisted as AB 14 Dec 93 for 4 yrs. Svd: 3 Yrs 8 Mo 28 Das, all AMS.
- b. Grade Status: SrA - 14 Dec 96
A1C - 14 Apr 95
Amn - Unknown
- c. Time Lost: None.
- d. Art 15's: None.
- e. Additional: Unknown.
- f. CM: None.
- g. Record of SV: 14 Dec 93 - 14 Aug 95 Barksdale AFB 4 (Initial)
15 Aug 95 - 14 Aug 96 Barksdale AFB 3 (Annual)
- h. Awards & Decs: AFTR, NDSM, HSM, AFOUA W/1 DEV, JMUA, AFGCM.
- i. Stmt of Sv: TMS: (4) Yrs (2) Mos (26) Das
TAMS: (3) Yrs (8) Mos (28) Das
4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 26 Apr 04.
(Change Discharge to Honorable)

Issue 1: I feel that my discharge should be upgraded to clear my records so that I can find employment.

Issue 2: During the time that I enlisted into the Air Force, I intended to find employment right after high school in 1993. I was in the Air Force from December 1993 to September. Soon there came to be a point in time when I (sic)

under tremendous pressure because the Air Force was downsizing. I then began to realize that the Air Force was not for me. I wanted to leave the Air Force. But, I had true intentions of leaving with four full years and an honorable discharge. Also, it is a fact that many of my co-workers and supervisors did not treat me with respect. But, I have moved on a great deal with my life since then. In conclusion, I am sure that an honorable discharge would look great for me and the Air Force.

ATCH

1. DD Form 214.
2. AF Form 100.

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