

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

(INITIAL)		GRADE				
L		SRA				
TYPE GEN	PERSONAL APPEARANCE	X	RECORD REVIEW			
COUNSEL		ADDRESS AND OR ORGANIZATION OF COUNSEL				
YES	No					
	X					
MEMBER SITTING		VOTE OF THE BOARD				
		HON	GEN	UOTHC	OTHER	DENY
						X
						X
						X
						X
ISSUES A95.00 A01.00		INDEX NUMBER A66.00		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	
HEARING DATE 01 Mar 2005		CASE NUMBER FD-2004-00466				
APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE						
<p>Case heard at Washington, D.C.</p> <p>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.</p> <p>Names and votes will be made available to the applicant at the applicant's request.</p>						
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p style="text-align: center;">SIGNATURE OF BOARD PRESIDENT</p> <div style="border: 1px solid black; height: 30px; width: 100%;"></div> </div> <div style="width: 50%;"> <p style="text-align: center;">SIGNATURE OF BOARD PRESIDENT</p> </div> </div>						
INDORSEMENT			DATE: 3/2/2005			
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-2004-00466
<p>GENERAL: The applicant appeals for upgrade of discharge to honorable.</p> <p>The applicant was offered a personal appearance before the Discharge Review Board (DRB) but declined to exercise this right.</p> <p>The attached brief contains available pertinent data on the applicant and the factors leading to the discharge.</p> <p>FINDINGS: Upgrade of discharge is denied.</p> <p>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.</p> <p>ISSUE: The applicant cited his desire to receive the G.I. Bill benefits as justification for upgrade. The DRB noted that when the applicant applied for these benefits, he signed a statement (DD Form 2366, on May 3, 1999) that he understood he must receive an Honorable discharge to receive future educational entitlements. The Board was sympathetic to the impact the loss of these benefits was having on the applicant, but this is not a matter of inequity or impropriety which would warrant an upgrade.</p> <p>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.</p> <p>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.</p> <p>Attachment: Examiner's Brief</p>	

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

(Former SrA) (HGH SrA)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr Barksdale AFB, LA on 22 Jun 04 UP AFI 36-3208, para 5.54 (Misconduct - Drug Abuse). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 4 Feb 78. Enlmt Age: 21 1/12. Disch Age: 26 4/12. Educ: HS DIPL. AFQT: N/A. A-61, E-54, G-46, M-41. PAFSC: 2S051 - Materiel Control Journeyman. DAS: 11 May 03.

b. Prior Sv: (1) AFRes 2 Apr 99 - 20 Apr 99 (20 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as Amn 21 Apr 99 for 6 yrs. Extended 19 Mar 03 for 23 months. Svd: 5 Yrs 2 Mo 1 Das, all AMS.

b. Grade Status: SrA - 21 Apr 02
A1C - 21 Feb 00

c. Time Lost: None.

d. Art 15's: None.

e. Additional: LOR, 1 JUN 04 - Drug Abuse.

f. CM: None.

g. Record of SV: 21 Apr 99 - 20 Dec 00 Barksdale AFB 5 (Initial)
21 Dec 00 - 20 Dec 01 Barksdale AFB 5 (Annual)
21 Dec 01 - 20 Dec 02 Barksdale AFB 4 (Annual)
21 Dec 02 - 10 Jun 03 Barksdale AFB 4 (CRO)

h. Awards & Decs: AFTR, NDSM, AFLSAR, AFOUA W/1 OLC, AFGCM.

i. Stmt of Sv: TMS: (5) Yrs (2) Mos (21) Das
TAMS: (5) Yrs (2) Mos (1) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 12 Nov 04.
(Change Discharge to Honorable)

Issue 1: School: Montgomery G.I. Bill.

Education is very important to me and this is one issue that I am concerned

about. An Honorable Discharge would begin to help move me in the right direction to a better life for me and my family. Thank you.

ATCH

1. University Acceptance Letter.
2. District Attorney's Diversion Agreement.

25JAN05/ia



DEPARTMENT OF THE AIR FORCE

Headquarters 2d Bomb Wing
BARKSDALE AFB, LOUISIANA 71110

FD 2004-00406

JUN 1 2004

MEMORANDUM FOR [REDACTED]

FROM: 2 LRS/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for Misconduct: Drug Abuse. The authority for this action is AFPD 36-32, *Military Retirements and Separations*, and AFI 36-3208, *Administrative Separation of Airmen*, paragraph 5.54. If my recommendation is approved, your service will be characterized as an Under Honorable Conditions (General) Discharge. I am recommending that your service be characterized as an Under Honorable Conditions (General) Discharge.
2. My reason for this action is:
 - a. On or about 25 Feb 04, you were arrested for wrongfully possessing and using Marijuana. For this incident you received a Letter of Reprimand, dated 1 Jun 04.
3. You have the right to consult counsel. Military legal counsel has been obtained to assist you. I have made an appointment for you to consult [REDACTED] at Bldg. 4714, Third Floor, on 2 June, at 10:00 hours. You may consult civilian counsel at your own expense.
4. You have the right to submit statements in your own behalf. Any statements you want the separation authority to consider must reach me by 4 Jun 04 unless you request and receive an extension for good cause shown. I will send them to the separation authority.
5. If you fail to consult counsel or to submit statements in your own behalf, your failure will constitute a waiver of your right to do so.
6. You have been scheduled for a medical examination. You must report to 2d Medical Group, 243 Curtiss Rd., Suite 100 on 2 Jun 04, at 0830 hours for the examination. Bring medical records to appointments. 3 Jun 04 at 0900
7. Any personal information you furnish in rebuttal is covered by the Privacy Act of 1974. A copy of AFI 36-3208 is available for your use at AF PUBS site.

8. Execute the attached acknowledgment and return it to me immediately.

FD 2004-00466


Commander, 2d Rediness Squadron

Attachments:

1. Supporting Documents
2. Receipt of Notification Memorandum