AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD											
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COUNSEL NAME OF COUNSEL AND OR ORGANIZATION				ADDRESS AND OR ORGANIZATION OF COUNSEL							
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ISSUES A95.00 INDEX NUMBER A66.00				EXHIBITS SUBMITTED TO THE BOARD							
A01.00			-	1 ORDER APPOINTING THE BOARD							
			-	2 APPLICATION FOR REVIEW OF DISCHARGE 3 LETTER OF NOTIFICATION							
			_	3 LETTER OF NOTIFICATION 4 BRIEF OF PERSONNEL FILE							
				COUNSEL'S RELEASE TO THE BOARD							
						ONAL EXHIBITS SUBMITTED AT TIME OF SONAL APPEARANCE					
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HEARING DATE		CASE NUMBER		\dashv							
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Names and votes will be made available to the applicant at the applicant's request.											
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AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

FD-2004-00466

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

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.

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)

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.

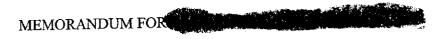
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Headquarters 2d Bomb Wing BARKSDALE AFB, LOUISIANA 71110 FD 2004-00466

JUN 1 2004



FROM: 2 LRS/CC

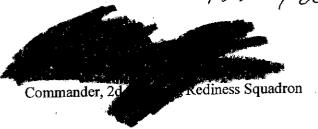
SUBJECT: Notification Memorandum

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 the latest that Bldg. 4714, Third Floor, on 2 June, at 10:00 hours. You may consult civilian counsel at your own expense.
- 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 Jw 04, at 0830 hours for the examination. Bring medical records to appointments. 3 Jw 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 accowledgment and return it to me immedially. FD 2004-00466



Attachments:

Supporting Documents
 Receipt of Notification Memorandum