

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) [REDACTED]	GRADE SGT	AFSN/SSAN [REDACTED]
--------------------------------------------------------------------------	---------------------	--------------------------------

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
[REDACTED]					X
[REDACTED]					X
[REDACTED]					X
[REDACTED]					X
[REDACTED]					X

ISSUES A94.05	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	
			TAPE RECORDING OF PERSONAL APPEARANCE	
HEARING DATE 20 Dec 2005	CASE NUMBER FD-2005-00221			

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.

Names and votes will be made available to the applicant at the applicant's request.

SIGNATURE OF RECORDER [REDACTED]	SIGNATURE OF BOARD PRESIDENT [REDACTED]
--------------------------------------------	---------------------------------------------------

INDORSEMENT **DATE: 12/20/2005**

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-2005-00221⁶

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

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, 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.

ISSUE: Applicant contends discharge was inequitable because it was too harsh. The records indicated the applicant received a General Discharge for Misconduct, specifically, Drug Abuse. The Board concluded the misconduct was a significant departure from conduct expected of all military members. The characterization of the discharge received by the applicant was found to be appropriate. Applicant states that his discharge did not take into account the good things he did while in the service. The DRB took note of the applicant's duty performance as documented by his performance reports, letters of recommendation and other accomplishments. They found the seriousness of the willful misconduct offset any positive aspects of the applicant's duty performance. The Board concluded the discharge was appropriate for the reasons which were the basis for this case.

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 SGT) (HGH SGT)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr AL ANG, Birmingham, AL on 5 Oct 92 UP ANGR 39-10, Chapter 8, Section C (Misconduct - Drug Abuse). Appeals for Honorable Discharge, and to Change the RE Code, Reason and Authority for Discharge.

2. **BACKGROUND:**

a. DOB: 24 Sep 59. Enlmt Age: 19 2/12. Disch Age: 33 0/12. Educ: HS DIPL. AFQT: N/A. A-77, E-55, G-57, M-91. PAFSC: 45254M - Tactical Aircraft Maintenance Specialist. DAS: 10 Sep 91.

b. Prior Sv: (1) AFRes 15 Dec 78 - 21 Jan 79 (1 month 7 days) (Inactive).

(2) Enld USAF as AB 22 Jan 79 for 4 yrs. Svd: 3 yrs 4 months 24 days, all AMS. Sgt - 1 Oct 81.

(3) Enlisted TennANG as Sgt 16 Jun 82. Reenlisted 31 Jul 90 for 3 yrs. Svd: 3 yrs 7 months 4 days (Inactive). No performance reports available.

3. **SERVICE UNDER REVIEW:**

a. Enlisted AL ANG as Sgt 6 Sep 91 for 3 yrs. Svd: 1 Yrs 1 Mo 0 Das, (Inactive)

b. Grade Status: None.

c. Time Lost: None.

d. Art 15's: None.

e. Additional: Unknown.

f. CM: None.

g. Record of SV: None.

h. Awards & Decs: AFTR, AFGCM, HSM, AFAM, NDSM.

i. Stmt of Sv: TMS: (8) Yrs (2) Mos (6) Das
TAMS: (3) Yrs (4) Mos (24) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 1 Jun 05.
(Change Discharge to Honorable, and Change the RE Code, Reason and Authority

for Discharge)

Issue 1: My discharge was inequitable because it was based on one isolated incident in 98 months of service with no other adverse action.

Issue 2: Military Reenlistment Eligibility (RE)Code harsh. Military Service of Airman Excellent/Two active AFSC/Three previous Honorable Discharges.

Issue 3: No prior military or civilian convictions.

ATCH

1. Three Honorable Discharge Certificates.
2. Three NGB Forms 22.
3. DD Form 214.

15JUL05/ia