

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)	GRADE AB	AFSN/SSAN
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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	UOTHC	OTHER	DENY
					X
					X
					X
					X
					X

ISSUES A92.21	INDEX NUMBER A66.00	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2" style="text-align: center;">EXHIBITS SUBMITTED TO THE BOARD</th> </tr> </thead> <tbody> <tr> <td style="width: 20px; text-align: center;">1</td> <td>ORDER APPOINTING THE BOARD</td> </tr> <tr> <td style="text-align: center;">2</td> <td>APPLICATION FOR REVIEW OF DISCHARGE</td> </tr> <tr> <td style="text-align: center;">3</td> <td>LETTER OF NOTIFICATION</td> </tr> <tr> <td style="text-align: center;">4</td> <td>BRIEF OF PERSONNEL FILE</td> </tr> <tr> <td></td> <td>COUNSEL'S RELEASE TO THE BOARD</td> </tr> <tr> <td></td> <td>ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE</td> </tr> <tr> <td></td> <td>TAPE RECORDING OF PERSONAL APPEARANCE</td> </tr> </tbody> </table>	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
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HEARING DATE 27 Dec 2005	CASE NUMBER FD-2005-00290	
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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 BOARD PRESIDENT
INDORSEMENT	DATE: 12/28/2005

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
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AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

FD-2005-00290

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:

Applicant received a General Discharge for Drug Abuse and the records indicate that the applicant received an Article 15 for wrongfully using marijuana. Applicant contends that since his discharge, he has put his nose to the grind (sic) trying to correct his mistake and points out that he has earned an Associates Degree with honors, is currently working on his B.S degree, and is currently employed by International Business Machines. The DRB was pleased to see that the applicant was doing well and has a good job. However, the Board concluded the misconduct was a significant departure from conduct expected of all military members, found no inequity or impropriety in his discharge, and concluded the misconduct of the applicant appropriately characterized his term of service. The characterization of the discharge received by the applicant was found to be appropriate.

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 AMN)

MISSING DISCHARGE DOCUMENTS

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr Brooks AFB, TX on 08 Dec 97 UP AFI 36-3208, para 5.54 (Misconduct - Drug Abuse). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 28 Jul 78. Enlmt Age: 18 0/12. Disch Age: 19 4/12. Educ: HS DIPL. AFQT: N/A. A-48, E-84, G-62, M-70. PAFSC: 3E031 - Electrical Systems Apprentice. DAS: 4 Feb 97.

b. Prior Sv: (1) AFRes 29 Jul 96 - 21 Aug 96 (23 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 22 Aug 96 for 4 yrs. Svd: 1 Yrs 3 Mo 17 Das, all AMS.

b. Grade Status: AB - 16 Oct 97 (Article 15, 16 Oct 97)
Amn - 22 Feb 97

c. Time Lost: None.

d. Art 15's: (1) 16 Oct 97, Brooks AFB, TX - Article 112a. You, did, within the boundaries of the state of Texas, between on or about 1 Jun 97 and on or about 31 Jul 97, wrongfully use marijuana. Reduction to AB, and a reprimand. (No appeal) (No mitigation)

e. Additional: LOR, 16 OCT 97 - Wrongful use of marijuana.

f. CM: None.

g. Record of SV: None.

h. Awards & Decs: AFTR.

i. Stmt of Sv: TMS: (01) Yrs (04) Mos (10) Das
TAMS: (01) Yrs (03) Mos (17) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 18 Jul 05.
(Change Discharge to Honorable)

Issue 1: I have included the above documents to show that since my involuntary separation I have strived to correct my errors. All that is left is elevation of my discharge status. Please take these into account. My only

specific request is to be notified of your decision via the email address I included.

ATCH

1. Associate of Science Degree.
2. Certificate of Achievement.
3. Resume.
4. Character Reference.

24AUG05/ia