

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) <div style="border: 1px dashed black; height: 20px; width: 100%;"></div>	GRADE A1C	AFSN/SSAN <div style="border: 1px dashed black; height: 20px; width: 100%;"></div>
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TYPE HON	PERSONAL APPEARANCE	X	RECORD REVIEW
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COUNSEL	NAME OF COUNSEL AND OR ORGANIZATION	ADDRESS AND OR ORGANIZATION OF COUNSEL				
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;">YES</td> <td style="width:50%;">No</td> </tr> <tr> <td></td> <td align="center">X</td> </tr> </table>	YES	No		X		
YES	No					
	X					

MEMBER SITTING	VOTE OF THE BOARD				
	HON	GEN	UOTHC	OTHER	DENY
<div style="border: 1px dashed black; height: 40px; width: 100%;"></div>					X**
					X**
					X**
					X**
					X**

ISSUES A94.53	INDEX NUMBER A49.00	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 HE

HEARING DATE 30 Jan 2007	CASE NUMBER FD-2006-00089	
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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 in 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.

* Reason and Authority
+ Reenlistment Code

ENDORSEMENT	DATE: 2/8/2007
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

FD-2006-00089

GENERAL: The applicant requested to change the reason and authority for the discharge, and to 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: Request for change of reason and authority for discharge and change of reenlistment code are 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 has expressed a desire to change the reason and authority for discharge and to change the reenlistment code so that he may be eligible for reenlistment into the armed forces. Unfortunately, applicant's discharge processing files were missing from the record and the Board was unable to review. The Board was unable to conclusively ascertain the nature of misconduct on applicant's part that formed the basis for the discharge. The Board also could not determine if applicant consulted counsel or submitted statements in his own behalf at the time of the discharge. When requested to provide any pertinent information he may have about the discharge file or his record of service, applicant was not able to provide any relevant information. Since there is no evidence to substantiate any inequities or improprieties, the Board relies on the presumption of regularity and finds the discharge proper and without basis to change the reason and authority or the reenlistment code.

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 A1C) (HGH A1C)

MISSING DISCHARGE DOCUMENTS

1. **MATTER UNDER REVIEW:** Appl rec'd a HON Disch fr USAF Keesler AFB, MS on 1 Sep 04 UP AFI 36-3208, para 5.26 (Unsatisfactory Performance). Appeals for Change in the RE Code, Reason and Authority for Disch.

2. **BACKGROUND:**

a. DOB: 29 Aug 84. Enlmt Age: 19 1/12. Disch Age: 20 0/12. Educ: HS DIPL. AFQT: N/A. A-67, E-70, G-66, M-76. PAFSC: 2E211 - Communications, Network Switching and Crypto Systems Helper. DAS: 23 Mar 04.

b. Prior Sv: (1) AFRes 16 Sep 03 - 28 Jan 04 (04 mos 13 das) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 29 Jan 04 for 6 years. Svd: 00 Yrs 07 Mo 03 Das, all AMS.

b. Grade Status: A1C - 19 Mar 04.

c. Time Lost: None.

d. Art 15's: (1) Unknown.

e. Additional: Unknown.

f. CM: Unknown.

g. Record of SV: None.

h. Awards & Decs: AFTR.

i. Stmt of Sv: TMS: (00) Yrs (11) Mos (16) Das
TAMS: (00) Yrs (07) Mos (03) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 16 Feb 06.
(Change Discharge the RE Code, Reason and Authority for Discharge.)

Issue 1: To change my reenlistment code to either a 3A or 3C so that I may enlist into the Air National Guard.

ATCH

1. DD Form 214.

3APR06/day