

**AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD**

<b>NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)</b> <div style="border: 1px dashed black; height: 20px; width: 100%;"></div>	<b>GRADE</b> <b>AB</b>	<b>AFSN/SSAN</b> <div style="border: 1px dashed black; height: 20px; width: 100%;"></div>
--	---------------------------	--

<b>TYPE GEN</b>	<b>PERSONAL APPEARANCE</b>	<b>X</b>	<b>RECORD REVIEW</b>
-----------------	----------------------------	----------	----------------------

<b>COUNSEL</b>	<b>NAME OF COUNSEL AND OR ORGANIZATION</b>	<b>ADDRESS AND OR ORGANIZATION OF COUNSEL</b>				
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;"><b>YES</b></td> <td style="width:50%;"><b>No</b></td> </tr> <tr> <td></td> <td align="center"><b>X</b></td> </tr> </table>	<b>YES</b>	<b>No</b>		<b>X</b>		
<b>YES</b>	<b>No</b>					
	<b>X</b>					

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

<b>ISSUES</b> <b>A94.53</b>	<b>INDEX NUMBER</b> <b>A66.00</b>	<b>EXHIBITS SUBMITTED TO THE BOARD</b>														
		<table border="1" style="width:100%; border-collapse: collapse;"> <tr><td style="width:5%; text-align:center;"><b>1</b></td><td>ORDER APPOINTING THE BOARD</td></tr> <tr><td style="text-align:center;"><b>2</b></td><td>APPLICATION FOR REVIEW OF DISCHARGE</td></tr> <tr><td style="text-align:center;"><b>3</b></td><td>LETTER OF NOTIFICATION</td></tr> <tr><td style="text-align:center;"><b>4</b></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 HE</td></tr> </table>	<b>1</b>	ORDER APPOINTING THE BOARD	<b>2</b>	APPLICATION FOR REVIEW OF DISCHARGE	<b>3</b>	LETTER OF NOTIFICATION	<b>4</b>	BRIEF OF PERSONNEL FILE		COUNSEL'S RELEASE TO THE BOARD		ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE		TAPE RECORDING OF PERSONAL APPEARANCE HE
<b>1</b>	ORDER APPOINTING THE BOARD															
<b>2</b>	APPLICATION FOR REVIEW OF DISCHARGE															
<b>3</b>	LETTER OF NOTIFICATION															
<b>4</b>	BRIEF OF PERSONNEL FILE															
	COUNSEL'S RELEASE TO THE BOARD															
	ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE															
	TAPE RECORDING OF PERSONAL APPEARANCE HE															

<b>HEARING DATE</b> <b>22 Mar 2007</b>	<b>CASE NUMBER</b> <b>FD-2006-00381</b>	
---	--	--

APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONAL 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.

<b>INDORSEMENT</b>	<b>DATE: 3/28/2007</b>
<b>TO:</b> SAF/MRBR 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742	<b>FROM:</b> SECRETARY OF THE AIR FORCE PERSONNEL COUNCIL AIR FORCE DISCHARGE REVIEW BOARD 1535 COMMAND DR, EE WING, 3RD FLOOR ANDREWS AFB, MD 20762-7002

**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 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:** The applicant submitted no issues. The record indicates that the applicant was discharged with a General discharge for Misconduct--Drug Abuse. The applicant received an Article 15 for wrongfully using marijuana. She was punished with a reduction in grade to Airman Basic, forfeiture of \$636.00 for two months--suspended, and 30 days extra duty. 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.

**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 AB) (HGH AMN)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF Shaw AFB, SC on 5 Sep 06 UP AFI 36-3208, para 5.54 (Misconduct - Drug Abuse). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 8 May 85. Enlmt Age: 19 8/12. Disch Age: 21 3/12. Educ: HS DIPL. AFQT: N/A. A-71, E-61, G-62, M-45. PAFSC: 2R131 - Maintenance Management Production Apprentice. DAS: 5 Dec 05.

b. Prior Sv: (1) AFRes 12 Jan 05 - 8 Aug 05 (6 months 27 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 9 Aug 05 for 4 yrs. Svd: 01 Yrs 00 Mo 27 Das, all AMS.

b. Grade Status: AB - 14 Aug 06 (Article 15, 14 Aug 06)  
Amn - 9 Feb 06

c. Time Lost: None.

d. Art 15's: (1) 14 Aug 06, Shaw AFB, SC - Article 112a. You, did, within the continental United States, between on or about 20 Feb 06 and on or about 22 Mar 06, wrongfully use marijuana. Reduction to AB. Suspended forfeiture of \$636.00 pay per month for two months. Thirty days extra duty. (No appeal) (No mitigation)

e. Additional: None.

f. CM: None.

g. Record of SV: None.

h. Awards & Decs: NDSM, GWOTSM, BMTR, AFTR.

i. Stmt of Sv: TMS: (01) Yrs (07) Mos (24) Das  
TAMS: (01) Yrs (00) Mos (27) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 19 Sep 06.  
(Change Discharge to Honorable)

NO ISSUES SUBMITTED.

**ATCH**

1. Response to Notification of Administrative Separation, 23 Aug 06.

28NOV06/ia



DEPARTMENT OF THE AIR FORCE  
20TH FIGHTER WING (ACC)  
SHAW AIR FORCE BASE SOUTH CAROLINA

FD2006-00381

22 AUG 06

MEMORANDUM FOR AB: \_\_\_\_\_

FROM: 20 MOS/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for drug abuse. The authority for this action is AFPD 36-32 and AFI 36-3208, Chapter 5, Section H, Paragraph 5.54. If your discharge is approved, your service will be characterized as honorable or under honorable conditions (general). I am recommending that your service be characterized as under honorable conditions (general).
2. My reason for this action is between on or about 20 Feb 06 and on or about 22 Mar 06, you wrongfully used marijuana.
3. Copies of the documents to support this recommendation are attached and will be forwarded to the separation authority. The separation authority will make the findings and recommendations required under 10 U.S.C. 2005(g) regarding recoupment of education assistance funds, if applicable. The commander exercising special court-martial jurisdiction or a higher authority will decide whether you will be discharged or retained in the Air Force and, if you are discharged, how your service will be characterized. If you are discharged, you will be ineligible for reenlistment in the Air Force and any special pay, bonus, or education assistance funds may be subject to recoupment.
4. 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 Captain \_\_\_\_\_ Area Defense Counsel, 895-9530, 321 Cullen Street, at 0760 hours on 23 Aug 2006. You may consult civilian counsel at your own expense.
5. You have the right to submit statements in your own behalf. Any statements you want the separation authority to consider must reach me by 1700 hours on 25 Aug 2006 unless you request and receive an extension for good cause shown. I will send them to the separation authority.
6. 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.
7. You have been scheduled for a medical examination. You must report to the 20th Medical Group, Primary Care Clinic at 1125 hours on 23 Aug 2006 and an additional examination will be scheduled if necessary.

*Global Power for America*

8. 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 in the unit orderly room.

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



Commander

**Attachments:**

1. Supporting Documents  
Article 15, dated 14 Aug 06
2. Receipt of Notification Memorandum