

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) <div style="background-color: black; width: 100%; height: 20px;"></div>				GRADE A1C		AFSN/SSAN <div style="background-color: black; width: 100%; height: 20px;"></div>				
TYPE		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				
<div style="background-color: black; width: 100%; height: 100%;"></div>						HON	GEN	UOTHC	OTHER	DENY
										X
										X
										X
										X
ISSUES A94.11		INDEX NUMBER A67.10				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				
HEARING DATE 18 Jun 2009		CASE NUMBER FD-2008-00154								
APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE.										
<p>Case heard in Washington, D.C.</p> <p>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.</p> <p>Names and votes will be made available to the applicant at the applicant's request.</p>										
SIGNATURE OF RECORDER <div style="background-color: black; width: 100%; height: 20px;"></div>				SIGNATURE OF BOARD PRESIDENT <div style="background-color: black; width: 100%; height: 20px;"></div>						
INDORSEMENT				DATE: 6/30/2009						
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 20762-7001						

AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**FD-2008-00154**

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 contends that his discharge was inequitable because it was based on his commander not wanting him dating a stripper. The record indicates that the applicant received 1) three Letters of Reprimand for violating dress and appearance standards by wearing a tongue ring while in uniform and for driving his vehicle on a runway taxiway without a pass and for reckless driving; and 2) two Article 15s for failing to go at time prescribed to his appointed place of duty and dereliction in performance of his duty by negligently failing to take action to schedule and complete his required flight physical within time prescribed. After review of the record, the Board found that the applicant submitted no evidence, nor was there any in the record, to indicate that he was discharged based on his dating situation. The Board concluded that the negative aspects of the applicant's service outweighed the positive contributions he made in his Air Force career. 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