

# 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 <b>AB</b>		AFSN/SSAN <div style="background-color: black; width: 100%; height: 20px;"></div>	
TYPE GEN		PERSONAL APPEARANCE		<b>X</b>		RECORD REVIEW	
COUNSEL		NAME OF COUNSEL AND OR ORGANIZATION		ADDRESS AND OR ORGANIZATION OF COUNSEL			
YES      No							
<div style="background-color: black; width: 100%; height: 20px;"></div>		<b>X</b>					
MEMBER SITTING <div style="background-color: black; width: 100%; height: 100px;"></div>				VOTE OF THE BOARD			
				HON	GEN	UOTHC	OTHER
							X
							X
							X
							X
							X
ISSUES <b>A93.07</b>		INDEX NUMBER <b>A67.90</b>		EXHIBITS SUBMITTED TO THE BOARD			
				<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 HEARING			
HEARING DATE <b>18 Jun 2009</b>		CASE NUMBER <b>FD-2008-00155</b>					
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: 30px;"></div>				SIGNATURE OF BOARD PRESIDENT <div style="background-color: black; width: 100%; height: 30px;"></div>			
INDORSEMENT				DATE: 6/26/2009			
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**

**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 her husband at the time was unable to adapt to military life and had continual involvement with the military and civilian police; which led to domestic spousal problems and eventually her discharge. The applicant has since then remarried and desires to have her discharge upgraded to have better employment opportunities. The record indicates that the applicant received a Letter of Counseling for failing to control her dependent; two Letters of Reprimand for failing to obey a no contact order and for involvement in a robbery and assault with attempt to commit robbery; and an Article 15 for failing to obey a no contact order. After review of the record, the Board found no evidence of inequity or impropriety that would warrant an upgrade of the discharge.

**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