

**AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD**

|  |              |                                |
|--|--------------|--------------------------------|
| <b>NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)</b><br>[REDACTED] | <b>GRADE</b> | <b>AFSN/SSAN</b><br>[REDACTED] |
|--|--------------|--------------------------------|

|  |                            |   |                      |
|--|----------------------------|---|----------------------|
| <b>TYPE</b>                                | <b>PERSONAL APPEARANCE</b> | <b>X</b>                                      | <b>RECORD REVIEW</b> |
| <b>NAME OF COUNSEL AND OR ORGANIZATION</b> |                            | <b>ADDRESS AND OR ORGANIZATION OF COUNSEL</b> |                      |
| <b>CDUNSEL</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     |
| [REDACTED]            |                          |     |       |       | <b>X</b> |
| [REDACTED]            |                          |     |       |       | <b>X</b> |
| [REDACTED]            |                          |     |       |       | <b>X</b> |
| [REDACTED]            |                          |     |       |       | <b>X</b> |
| [REDACTED]            |                          |     |       |       | <b>X</b> |

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|-----------------------------------|-------------------------------|--|--|--|
| <b>ISSUES</b><br>A95.00<br>A01.00 | <b>INDEX NUMBER</b><br>A67.90 | <b>EXHIBITS SUBMITTED TO THE BOARD</b> |  |  |
|                                   |                               | <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                |  |

|                                    |                                     |  |
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| <b>HEARING DATE</b><br>18 Jun 2009 | <b>CASE NUMBER</b><br>FD-2008-00174 |  |
|------------------------------------|-------------------------------------|--|

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.

|  |   |
|--|---|
| <b>SIGNATURE OF RECORDER</b><br>[REDACTED] | <b>SIGNATURE OF BOARD PRESIDENT</b><br>[REDACTED] |
|--|---|

|  |   |                        |
|--|---|------------------------|
| <b>INDORSEMENT</b>   |   | <b>DATE:</b> 8/11/2009 |
| <b>TO:</b><br>SAF/MRBR<br>550 C STREET WEST, SUITE 40<br>RANDOLPH AFB, TX 78150-4742 | <b>FROM:</b><br>SECRETARY OF THE AIR FORCE PERSONNEL COUNCIL<br>AIR FORCE DISCHARGE REVIEW BOARD<br>1535 COMMAND DR, EE WING, 3RD FLOOR<br>ANDREWS AFB, MD 20762-7001 |                        |

**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 Board finds the applicant submitted no issues contesting the equity or propriety of the discharge. The applicant submits to have his discharge upgraded to help with career progression as a DoD employee. The Board reviewed the entire record and was unable to identify any inequities or improprieties that would justify a change of discharge. The records indicated the applicant received two Article 15s for misconduct. His misconduct consisted of violating a lawful general order by wrongfully leaving his authorized location during restricted hours, making a false official statement, and on divers occasions committed adultery with a married woman. The DRB opined that through these administrative actions, the applicant had ample opportunities to change his negative behavior. 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