

# AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) <div style="background-color: black; width: 100%; height: 15px;"></div>				GRADE		AFSN/SSAN <div style="background-color: black; width: 100%; height: 15px;"></div>				
TYPE		PERSONAL APPEARANCE				X RECORD REVIEW				
COUNSEL YES No X		NAME OF COUNSEL AND OR ORGANIZATION				ADDRESS AND OR ORGANIZATION OF COUNSEL				
MEMBER SITTING						VOTE OF THE BOARD				
						HON	GEN	UOTHC	OTHER	DENY
<div style="background-color: black; width: 100%; height: 100%;"></div>										X
										X
										X
										X
										X
ISSUES A94.54		INDEX NUMBER A66.00				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 HEARING				
HEARING DATE 25 Jun 2009		CASE NUMBER FD-2008-00185								
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> <p>X – Upgrade, Reason for Discharge and Reenlistment Code</p>										
SIGNATURE OF RECORDER <div style="background-color: black; width: 100%; height: 15px;"></div>				SIGNATURE OF BOARD PRESIDENT <div style="background-color: black; width: 100%; height: 15px;"></div>						
INDORSEMENT				DATE: 7/8/2009						
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, to change the reason for 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:** Upgrade of discharge, change to reason for discharge and change to the reenlistment code are 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:**

Applicant submitted no specific issues regarding the equity or propriety of his discharge. The applicant submits that he would like to join another service. The record indicates that applicant received an Article 15 for wrongful use of marijuana. The Board found the misconduct of the applicant was inconsistent with the standard of conduct expected of an Air Force member. The Board concluded the discharge action was proper and equitable.

**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 characterization, reason for discharge and reenlistment code should not be changed.

Attachment:  
Examiner's Brief