

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)

GRADE

AFSN/SSAN

1LT

TYPE GEN

PERSONAL APPEARANCE

X

RECORD REVIEW

COUNSEL

NAME OF COUNSEL AND OR ORGANIZATION

ADDRESS AND OR ORGANIZATION OF COUNSEL

YES No

X

VOTE OF THE BOARD

HON

GEN

UOTHC

OTHER

DENY

X

X

X

X

X

ISSUES

A94.11
A94.55

INDEX NUMBER

A49.00

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

27 Aug 2009

CASE NUMBER

FD-2008-00364

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.

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	CASE NUMBER FD-2008-00364
<p>GENERAL: The applicant appeals for upgrade of discharge to honorable.</p> <p>The applicant was offered a personal appearance before the Discharge Review Board (DRB) but declined and requests that the review be completed based on the available service record. The attached brief contains available pertinent data on the applicant and the factors leading to the discharge.</p> <p>FINDINGS: The Board denies the upgrade of the discharge.</p> <p>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.</p> <p>Evidence in the record indicates the applicant received:</p> <ol style="list-style-type: none"> 1. Two (2) Letters of Reprimand for derelict in performance of duties (failed to follow an order/false official statement) and failure to complete Introductory Flight Training due to factors within his control. 2. One (1) Letter of Counseling for failure to attend a meeting with his commander 3. One (1) AETC Form 126a for allowing several awards to go undelivered to recipients 4. One (1) statement from the MSS/CC concerning late report for a flight 5. Five (5) Memoranda for Record for failure to call in sortie counts, failure to complete assigned duties, oversleeping and reporting late for duty, inability to meet suspenses and failure to track inventory of chemical defense equipment and failure to report for duty <p>ISSUES: The applicant contends his was inequitable based on 1) instances that were either not within his control or influence 2) his commander showed unprofessionalism throughout the discharge process and attacked the applicant's personality in an unfair way</p> <p>The Board opined that the applicant had ample opportunities to change his behavior. Given the record in hand, the Board concluded that the negative aspects of the applicant's service outweighed the positive contributions he made in his Air Force career. The Board determined the discharge was appropriate.</p> <p>However, the Board highly recommends, that if the applicant can provide additional documented information to substantiate his issues, he should consider exercising his right to make a personal appearance before the Board. If he should choose to exercise his right, the applicant should be prepared to provide the Board with factual evidence of the inequity and any exemplary post-service accomplishments as well as any contributions to the community.</p> <p>CONCLUSIONS: At this time, 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.</p> <p>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.</p> <p>Attachment: Examiner's Brief</p>	