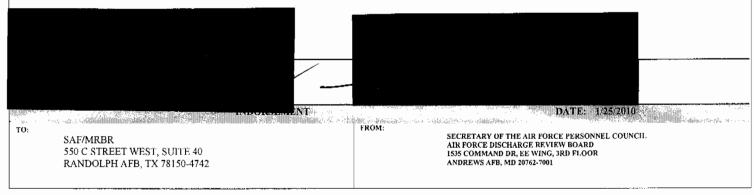
NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) GRADE AF	SN/SSAN		
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TYPE PERSONAL APPEARANCE X RECORD REVIEW			
COUNSEL NAME OF COUNSEL AND OR ORGANIZATION ADDRESS AND OR ORGANIZATION OF COUNSEL YES No.	ADDRESS AND OR ORGANIZATION OF COUNSEL		
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ISSUES A92.21 INDEX NUMBER A67.10 EXHIBITS SUBMITTED TO	EXHIBITS SUBMITTED TO THE BOARD		
A93.01 1 ORDER APPOINTING THE BOARD			
	APPLICATION FOR REVIEW OF DISCHARGE LETTER OF NOTIFICATION		
4 BRIEF OF PERSONNEL FILE			
COUNSEL'S RELEASE TO THE BOAR	COUNSEL'S RELEASE TO THE BOARD		
	ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE		
TAPE RECORDING OF PERSONAL AP	PEARANCE HE	ARING	
HEARING DATE CASE NUMBER			
01 Dec 2009 FD-2008-00539			
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.

- *Reason and Authority
- +Reenlistment Code



AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

FD-2008-00539

GENERAL: The applicant appeals for upgrade of discharge to honorable, to change the reason and authority for the discharge, and to change the reenlistment code.

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.

FINDING: The Board denies the upgrade of the discharge, change of reason and authority for discharge, and change of reenlistment code.

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:

Issue 1. Applicant admits he was young and took the easy way out to avoid conflict with his supervisor and first sergeant. He has expressed a desire to have his discharge upgraded so that he may be eligible for reenlistment into the armed forces. The records indicated the applicant received an Article 15, a Vacation, seven Letters of Reprimand, and four Letters of Counseling for misconduct. His misconduct consisted of failure to complete a tasking, failure to attend mandatory appointments (3x), caught sleeping during duty hours (2x), failure to obey an order (3x), making a false official statement, failure to go, violation of dress and appearance standards by displaying jewelry in ear while in uniform, failure of dorm room inspection and a radio that was reported missing was found in his helmet bag. 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.

Issue 2. The DRB was pleased to see that the applicant was doing well, continuing his education and has a good job. However, no inequity or impropriety in his discharge was suggested or found in the course of the hearing. The Board concluded the misconduct of the applicant appropriately characterized his term of service.

CONCLUSION: 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 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 and determines the discharge should remain unchanged.

Attachment: Examiner's Brief