

**AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD**

<b>NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)</b> [REDACTED]			<b>GRADE</b> AB		<b>AFSN/SSAN</b> [REDACTED]																
<b>TYPE</b>		<b>PERSONAL APPEARANCE</b>		<b>X</b>		<b>RECORD REVIEW</b>															
<b>COUNSEL</b>		<b>NAME OF COUNSEL AND OR ORGANIZATION</b>			<b>ADDRESS AND OR ORGANIZATION OF COUNSEL</b>																
<b>YES</b>	<b>No</b>																				
	<b>X</b>																				
				<b>VOTE OF THE BOARD</b>																	
				HON	GEN	UOTHC	OTHER	DENY													
								X													
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								X													
<b>ISSUES</b>		<b>INDEX NUMBER</b>		<b>EXHIBITS SUBMITTED TO THE BOARD</b>																	
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<b>HEARING DATE</b>		<b>CASE NUMBER</b>																			
07 Jan 2010		FD-2008-00581																			

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>INDORSEMENT</b>		<b>DATE: 3/11/2010</b>
<b>TO:</b> SAF/MRBR 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742	<b>FROM:</b> 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-2008-00581

**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 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.

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.

**ISSUES:**

The applicant submitted no issues regarding an inequity or impropriety of his discharge. The record indicates the applicant received an Article 15, three Letters of Reprimand, and a Letter of Counseling for misconduct. His misconduct included failure to meet training requirements, threatening another airman, disobeying an order (2x), refusing to leave a truck for fear of being exposed to harmful radiation, and failure to follow procedures in an exercise. The Board opined that through these administrative actions, the applicant had ample opportunities to change his behavior. They found the seriousness of the willful misconduct offset any positive aspects of the applicant's duty performance. The Board reviewed the entire record and found no evidence of impropriety or inequity to warrant an upgrade of the discharge.

**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