AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD									
NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)			GRADE			AFSI	AFSN/SSAN		
			A1C						
TYPE	PERSONAL APPEAR	ANCE	X RECORD REVIEW						
YES No X	NAME OF COUNSEL AND OR ORGANIZATION		ADDRESS AND OR ORGANIZATION OF COUNSEL						
· · · · · · · · · · · · · · · · · · ·	MEMBER SITTIN	G	VOTE OF THE BOARD						
	MENDER			HON	GEN	UOTHC	OTHER	DENY X*+	
								X*+	
								X*+	
								X*+	
								X*+	
ISSUES A94	05 INDEX NUMBER	A67.10				BMITTED 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	CASE NUMBER								
07 Jan 2010	FD-2008-00583								
APPLICANT'S ISSU	E AND THE BOARD'S DECISIONAL RATIONALE ARE DI	SCUSSED ON THE ATTACHED AIR FORCE DI	ISCHARO	GE REVIEW BO	ARD DECISIONAL	RATIONALE			

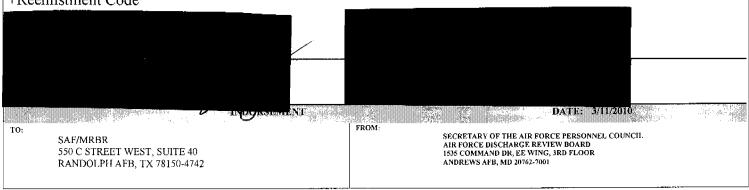
Case heard in Washington, D.C.

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-2008-00583

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.

ISSUES:

Although not explicitly stated, applicant contends discharge was inequitable because it was too harsh. He further contends that he was not informed at the time of his discharge that he would be ineligible for reenlistment. The records indicated the applicant received an Article 15, four Letters of Reprimand, and two Records of Individual Counseling for misconduct. His misconduct consisted of failure to refrain from smoking while in uniform, being disrespectful towards an NCO, failure to go (4x), failure to shave, and failure to keep dorm room in inspection order. 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.

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