

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) <div style="background-color: black; width: 150px; height: 20px; margin-top: 5px;"></div>		GRADE SRA	AFSN/SSAN <div style="background-color: black; width: 100px; height: 20px; margin-top: 5px;"></div>
TYPE	GEN	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	
			X
		X	
			X
			X
		X	
ISSUES A94.53	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 01 Dec 2009	CASE NUMBER FD-2008-00595		
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>+Reenlistment Code</p>			
INDORSEMENT		DATE: 12/2/2009	
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

FD-2008-00595

GENERAL: The applicant appeals for upgrade of discharge to honorable 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.

ISSUE: From the DD Form 293, the applicant requested the upgrade so he could have the opportunity to re-enlist into a different military branch.

FINDINGS: The Board denies the upgrade of the discharge and change of reenlistment code is denied.

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.

The record indicates the applicant received two Letters of Reprimand, two Records of Individual Counseling, and failed his CDC end of course exam on two occasions. The basis for discharge was the CDC failures. While not the basis for discharge, his misconduct included failure to maintain financial obligations (2x), leaving tools on the flight-line, failure to properly document an inventory sheet, and failure to go at the time prescribed to his appointed place of duty (2x). The Board opined that through these administrative actions, the applicant had ample opportunities to change his behavior. They along with his CDC failures offset any positive aspects of the applicant's duty performance.

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 the applicant 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