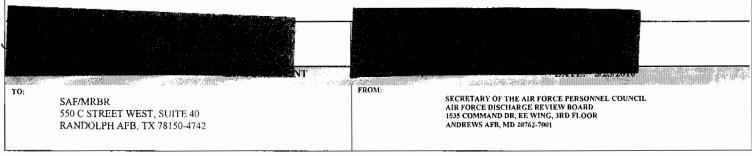
AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD									
NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)				GRADE			AFSN/SSAN		
				SRA					
		SONAL APPEARANCE	X	X RECORD REVIEW					
YES No	THE ST COUNTY AND ON ONCE AND A TOTAL		ADDR	ADDRESS AND OR ORGANIZATION OF COUNSEL					
X									
	MEMBER SITTING			VOTE OF THE BOARD					
		TEMBER SITTING	I	HON	GEN	UOTHC	OTHER	DENY	
								X*+	
								X*+	
								X*+	
								X*+	
								X*+	
	92.15	A67.00 A62.00	EXHIBITS SUBMITTED TO THE BOARD						
	N95.00 N01.00		- - - - - - - - - - 	1 ORDER APPOINTING THE BOARD 2 APPLICATION FOR REVIEW OF DISCHARGE					
A	71.00								
				4 BRIEF OF PERSONNEL FILE					
					S RELEASE TO				
				ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE					
			TA	PE RECO	RDING OF PE	RSONAL APPI	EARANCE HE	ARING	
HEARING DATE		CASE NUMBER							
29 Apr 2010		FD-2009-00045 ISIONAL RATIONALE ARE DISCUSSED ON THE ATTACHE	D AIR FORCE MICHARDS	PEVIEW DO	APO DECIGIONA	PATIONALE		4 8972 9.31	

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 Cdoe



AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

FD-2009-00045

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 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.

ISSUE:

Issue 1. Applicant submitted no issues regarding the inequity or impropriety of his discharge. The applicant does submit that he desires to have his discharge upgraded so that he may be eligible to enlist into the armed forces. The record indicates the applicant received a General discharge for fraudulent entry and pattern of misconduct. Upon review of the record, the Board was unable to find any documentation regarding the discharge. Due to lack of evidence and supporting documentation to explain the discharge, the Board concludes that the misconduct was a significant departure from the conduct expected of all military members. The Board relies on the presumption of regularity and finds the characterization; reason for discharge and the reenlistment code were appropriate.

Issue 2. Applicant states that his discharge did not take into account the good things he did while in the service. The DRB took note of the applicant's duty performance as documented by his performance reports, letters of recommendation and other accomplishments. They found the seriousness of the willful misconduct offset any positive aspects of the applicant's duty performance. The Board concluded the discharge was appropriate for the reasons which were the basis for this case.

The Board highly recommends that if the applicant can provide additional documented information to substantiate their issue(s), that he should consider exercising his right to make a personal appearance before the Board. If the applicant chooses to exercise this right, he should be prepared to provide the DRB with factual evidence of the inequity/impropriety and any exemplary post-service accomplishments as well as any contributions to the community.

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