

# AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)				GRADE  A1C		AFSN/SSAN				
TYPE GEN		PERSONAL APPEARANCE				X RECORD REVIEW				
COUNSEL YES No  X		NAME OF COUNSEL AND OR ORGANIZATION				ADDRESS AND OR ORGANIZATION OF COUNSEL				
<div style="border: 1px solid black; height: 100px; width: 100%;"></div>						VOTE OF THE BOARD				
						HON	GEN	UOTHC	OTHER	DENY
										X
										X
										X
										X
										X
ISSUES  A94.05		INDEX NUMBER  A67.10				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  27 May 2010		CASE NUMBER  FD-2009-00052								
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>										
INDORSEMENT				DATE: 6/7/2010						
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**

CASE NUMBER

**FD-2009-00052**

**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.

**FINDINGS:** The Board denies the upgrade of the discharge.

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:**

Applicant contends discharge was inequitable because it was too harsh. He admits that he made a few errors and has learned from his mistakes. The records indicated the applicant received two Article 15s, a Letter of Reprimand and three Memorandums for Record for misconduct. His misconduct consisted of failure to pay debts, being delinquent on his Government Travel Card (4x), and viewing, downloading and storing pornographic material on his government computer. 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.

**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