

**AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD**

|  |  |                    |                                |
|--|--|--------------------|--------------------------------|
| <b>NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)</b><br>[REDACTED] |  | <b>GRADE</b><br>AB | <b>AFSN/SSAN</b><br>[REDACTED] |
|--|--|--------------------|--------------------------------|

|                |  |   |                      |
|----------------|--|---|----------------------|
| <b>THE GEN</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> |                      |
| YES            | No   |   |                      |
|                | X  |   |                      |

| VOTE OF THE BOARD |     |       |       |      |
|-------------------|-----|-------|-------|------|
| NON               | GEN | UOTHC | OTHER | DENY |
|                   |     |       |       | X*+  |
|                   |     |       |       | X*+  |
|                   |     |       |       | X*+  |
|                   |     |       |       | X*+  |
|                   |     |       |       | X*+  |

|                         |                               |  |  |  |
|-------------------------|-------------------------------|--|--|--|
| <b>ISSUES</b><br>A94.05 | <b>INDEX NUMBER</b><br>A67.30 | <b>EXHIBITS SUBMITTED TO THE BOARD</b> |  |  |
|                         |                               | 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                |  |

|                                    |                                     |
|------------------------------------|-------------------------------------|
| <b>HEARING DATE</b><br>22 Jul 2010 | <b>CASE NUMBER</b><br>FD-2009-00075 |
|------------------------------------|-------------------------------------|

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.

\*Reason and Authority  
+Reenlistment Code

|  |                            |   |
|--|----------------------------|---|
| <b>INDORSEMENT</b>   |                            | <b>DATE:</b> 7/23/2010  |
| <b>TO:</b><br>SAF/MRBR<br>550 C STREET WEST, SUITE 40<br>RANDOLPH AFB, TX 78150-4742 | <b>FROM:</b><br>[REDACTED] | <b>SECRETARY OF THE AIR FORCE PERSONNEL COUNCIL<br/>AIR FORCE DISCHARGE REVIEW BOARD<br/>1535 COMMAND DR, EE WING, 3RD FLOOR<br/>ANDREWS AFB, MD 20762-7001</b> |

**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

**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 and that he has served his time for his mistakes. He further expressed that he desired to have his discharge upgraded so that he may be eligible to reenlist into the armed forces. The records indicated the applicant received a General Court Martial for assaulting a female by striking and grabbing her with his hands and physically controlling a motor vehicle while under the influence of alcohol. He was disciplined with a reduction in grade to Airman Basic, confinement for 180 days, forfeiture of pay, and 30 days of extra duty. 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