

# AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) <div style="background-color: black; width: 100px; height: 15px; margin-top: 5px;"></div>	GRADE  <b>SSGT</b>	AFSN/SSAN <div style="background-color: black; width: 100px; height: 15px; margin-top: 5px;"></div>
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<b>TYPE</b>	<b>GEN</b>	<b>PERSONAL APPEARANCE</b>	<b>X</b>	<b>RECORD REVIEW</b>
<b>COUNSEL</b> 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 <b>A95.00</b> <b>A01.00</b>	INDEX NUMBER <b>A49.00</b>	<b>EXHIBITS SUBMITTED TO THE BOARD</b> <div style="border: 1px solid black; padding: 2px;"> <b>1</b> ORDER APPOINTING THE BOARD  <b>2</b> APPLICATION FOR REVIEW OF DISCHARGE  <b>3</b> LETTER OF NOTIFICATION  <b>4</b> BRIEF OF PERSONNEL FILE          COUNSEL'S RELEASE TO THE BOARD          ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE          TAPE RECORDING OF PERSONAL APPEARANCE HEARING       </div>
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HEARING DATE <b>13 May 2010</b>	CASE NUMBER <b>FD-2009-00112</b>	
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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>TO:</b> SAF/MRBR 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742	<div style="text-align: right; font-size: small;">DATE: 5/25/2010</div> <b>FROM:</b> SECRETARY OF THE AIR FORCE PERSONNEL COUNCIL AIR FORCE DISCHARGE REVIEW BOARD 1535 COMMAND DR, EE WING, 3RD FLOOR ANDREWS AFB, MD 20762-7001
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**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

**FD-2009-00112**

**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:**

Applicant submitted no issues regarding the inequity or impropriety of his discharge. The applicant does submit his desire to have his discharge upgraded so that he may be eligible to reenlist into the armed forces. The record indicates the applicant received a General discharge for failure to progress in OJT. 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.

The Board highly recommends that if the applicant can provide additional documented information to substantiate their issue(s), that \*\*he/she should consider exercising their right to make a personal appearance before the Board. If the applicant chooses to exercise this right, \*\*he/she 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