

# AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) <div style="background-color: black; width: 150px; height: 15px; margin-top: 5px;"></div>				GRADE <div style="background-color: black; width: 100px; height: 15px; margin-top: 5px;"></div>		AFSN/SSAN <div style="background-color: black; width: 100px; height: 15px; margin-top: 5px;"></div>					
TYPE UO		PERSONAL APPEARANCE		<b>X</b>		RECORD REVIEW					
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 2px;">YES</td> <td style="width: 50%; padding: 2px;">No</td> </tr> <tr> <td style="padding: 2px;"></td> <td style="text-align: center; padding: 2px;"><b>X</b></td> </tr> </table>		YES	No		<b>X</b>	NAME OF COUNSEL AND OR ORGANIZATION		ADDRESS AND OR ORGANIZATION OF COUNSEL			
YES	No										
	<b>X</b>										
MEMBER SITTING				VOTE OF THE BOARD							
				HON	GEN	UOTHC	OTHER				
					X						
					X						
					X						
							X				
					X						
ISSUES <b>A94.06</b> <b>A92.35</b> ✓ <b>A92.02</b>		INDEX NUMBER <b>A67.03</b>		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 <b>24 May 2012</b>		CASE NUMBER <b>FD-2010-00317</b>									
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>											
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-2010-00317**

**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.

**FINDING:** The discharge is upgraded to general.

**ISSUE:** Applicant received an Under Other Than Honorable Conditions (UOTHC) discharge for Misconduct – Commission of a Serious Offense

Applicant contends discharge was inequitable because it was based on an isolated incident. Additionally, he states that his discharge did not take into account the good things he did while in the service. The records indicated the applicant was convicted under a summary court martial, received one Article 15, two Letters of Reprimand, one Letter of Counseling, and one Record of Individual Counseling. His misconduct included attempted theft from AAFES, solicited an airman to steal from AAFES (2x), failed to report in after emergency leave, failed to maintain dorm room standards (3x), disobeyed an order (3x), failed to perform duties, misuse of government travel card, and failure to pay debt on government travel card. The DRB took note of the applicant's duty performance as documented by his performance reports, letters of recommendation and other accomplishments. Although the Board did not condone the applicant's misconduct, they found that based on his entire record and personal circumstances at the time of discharge a UOTHC discharge was too harsh and concluded a General discharge more appropriately characterized the applicant's service.

**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.

However, in view of the foregoing findings, the Board concludes that the overall quality of applicant's service is more accurately reflected by an Under honorable Conditions (General) under the provisions of Title 10, USC 1553.

Attachment:  
Examiner's Brief