

# AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) <div style="background-color: black; width: 150px; height: 20px; margin-top: 5px;"></div>				GRADE <div style="text-align: center; font-size: 1.2em;">A1C</div>		AFSN/SSAN <div style="background-color: black; width: 80px; height: 20px; margin-top: 5px;"></div>	
TYPE GEN		PERSONAL APPEARANCE		X		RECORD REVIEW	
<div style="display: flex; justify-content: space-between;"> <div style="width: 40px; text-align: center;">YES</div> <div style="width: 40px; text-align: center;">No</div> </div> <div style="display: flex; justify-content: space-between;"> <div style="width: 40px; text-align: center;"></div> <div style="width: 40px; text-align: center;">X</div> </div>		NAME OF COUNSEL AND OR ORGANIZATION		ADDRESS AND OR ORGANIZATION OF COUNSEL			
MEMBER SITTING				VOTE OF THE BOARD			
				HON	GEN	UOTHC	OTHER
							X
							X
							X
							X
							X
ISSUES <div style="text-align: right; font-weight: bold;">A94.53</div>		INDEX NUMBER <div style="text-align: right; font-weight: bold;">A66.00</div>		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			
HEARING DATE <div style="text-align: right; font-weight: bold;">16 Feb 2012</div>		CASE NUMBER <div style="text-align: right; font-weight: bold;">FD-2010-00403</div>		TAPE RECORDING OF PERSONAL APPEARANCE HEARING			
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-2010-00403**

**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 Board denies the upgrade of the discharge.

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:** The record indicates that the applicant was discharged for Misconduct—Drug Abuse. Applicant submitted no issues regarding the inequity or impropriety of her discharge. The record shows that the applicant received an Article 15 dated 27 August 2009 for wrongfully using marijuana on divers occasions between on or about 4 July 2009 and on or about 5 July 2009. 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.

**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