

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD									
NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)					GRADE		AFSN/SSAN		
[REDACTED]					[REDACTED]		[REDACTED]		
TYPE GEN		PERSONAL APPEARANCE			X	RECORD REVIEW			
COUNSEL		NAME OF COUNSEL AND OR ORGANIZATION			ADDRESS AND OR ORGANIZATION OF COUNSEL				
YES		No							
		X							
MEMBER SYSTEM					NOTE ON FILE BOARD				
					HON	GEN	UOHC	OTHER	DENY
									X
									X
									X
									X
ISSUES		INDEX NUMBER			GENERAL SECRETARY BOARD BOARD				
A92.35		A66.00			1 ORDER APPOINTING THE BOARD				
A92.01					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		CASE NUMBER							
26 Jan 2012		FD-2010-00417							
APPLICANT'S NAME AND THE BOARD'S DECISION ARE RATIONALE ARE NOT LISTED IN THE APPLICANT'S OR BOARD'S DISCHARGE REVIEW BOARD OF RECORD 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.									
TO:					FROM:				
SAF/MRBR 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742					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-2010-00417

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.

ISSUE: Applicant received a General discharge for Misconduct – Drug Abuse

Applicant contends his misconduct was an isolated incident and it should not nullify his twelve years of excellent service. 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