

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)	GRADE	AFSN/SSAN
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TYPE GEN	PERSONAL APPEARANCE	X	RECORD REVIEW
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NAME OF COUNSEL AND OR ORGANIZATION	ADDRESS AND OR ORGANIZATION OF COUNSEL				
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:5%;">YES</td> <td style="width:10%;">No</td> </tr> <tr> <td></td> <td align="center">X</td> </tr> </table>	YES	No		X	
YES	No				
	X				

MEMBER SITTING	VOICES OF THE BOARD				
	HON	GEN	UOHC	OTHER	DENY
					X**
					X**
					X**
					X**
					X**

ISSUES A94.53	INDEX NUMBER A67.90	ITEMS 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 08 May 2012	CASE NUMBER FD-2009-00418	
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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.

*Narrative Reason and Authority
+ RE Code

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
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AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

CASE NUMBER

FD-2009-00418

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 request for the upgrade of the discharge, to change the reason and authority for discharge, and to change the reenlistment code are denied.

ISSUE: Applicant received a General discharge for a Pattern of Misconduct – Conduct Prejudicial to Good Order and Discipline

Applicant submitted no issues regarding the inequity or impropriety of his discharge. The applicant does submit that he would like a second chance so that he may serve his country in the United States military again. The record indicates the applicant received two Article 15s, one Vacation, and two Records of Individual Counseling. His misconduct included damaged military property (2x), drunk and disorderly conduct, failed to go to physical training and absent without leave. The Board recognized the fact that the applicant had served nine years of service before his discharge was initiated, but concluded the applicant's misconduct outweighed the positive aspects of his time in the Air Force. Additionally, the Board noted the applicant was entitled to a hearing before an administrative discharge board, but waived his right. The Board reviewed the entire record and found no evidence of impropriety or inequity to warrant an upgrade of the discharge.

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