

# AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)				GRADE		AFSN/SSAN															
TYPE GEN		PERSONAL APPEARANCE				X RECORD REVIEW															
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; text-align: center;">YES</td> <td style="width: 50%; text-align: center;">No</td> </tr> <tr> <td style="text-align: center;"> </td> <td style="text-align: center;">X</td> </tr> </table>		YES	No		X	NAME OF COUNSEL AND OR ORGANIZATION				ADDRESS AND OR ORGANIZATION OF COUNSEL											
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HEARING DATE <b>06 Sep 2012</b>				CASE NUMBER <b>FD-2010-00294</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> <p>*Narrative Reason and Authority +RE Code</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																	

<b>AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE</b>	<b>CASE NUMBER</b>  <b>FD-2010-00294</b>
<p><b>GENERAL:</b> The applicant appeals for upgrade of discharge to honorable, to change the reason and authority for the discharge, and to change the reenlistment code.</p> <p>IAW AFI 36-3213, the applicant was offered a personal appearance before the Discharge Review Board (DRB), however failed to make a timely response to the Board's notification of a scheduled hearing. Therefore it has been deemed that the applicant has waived his right to a personal appearance and the DRB completed a review of the discharge based on the available service records.</p> <p>The attached brief contains available pertinent data on the applicant and the factors leading to the discharge.</p> <p><b>FINDING:</b> The request for the upgrade of the discharge, to change of reason and authority for discharge, and to change the reenlistment code are denied.</p> <p><b>ISSUE:</b> Applicant received a General discharge for Misconduct – Minor Disciplinary Infractions</p> <p>Applicant submitted no issues regarding the inequity or impropriety of his discharge. The applicant does submit that he believes he deserves a second chance despite his discrepancies so that he may serve his country in the United States military again. The record indicates the applicant received one Article 15 and five Letters of Reprimand. His misconduct included failed to hand in ATEC Form 341 to student leader, failed to remain in formation, behavior unbecoming a military professional by conducting a heated argument with a classmate, failed to report to an officer, failed to carry two AETC Forms 341 at all times, failed to participate in physical training (2x), failed to read student leaders board as directed, failed to obey an order not to leave base, failed to remain in uniform (2x), violated medical waiver, failed to report to duty on time (2x), and disobeyed an order by riding on a privately owned vehicle. The Board opined that through these administrative actions, the applicant had ample opportunities to change his behavior. They found the seriousness of the willful misconduct offset any positive aspects of the applicant's duty performance. The Board reviewed the entire record and found no evidence of impropriety or inequity to warrant an upgrade of the discharge.</p> <p><b>CONCLUSION:</b> 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.</p> <p>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.</p> <p>Attachment: Examiner's Brief</p>	