



**DRB DIGEST/EXECUTIVE SUMMARY  
DRB DOCKET 2014-019**

<b>NAME</b>	E4
<b>CURRENT DD-214</b>	Under Other than Honorable, COMDTINST M1000.6A ART 12-B-18, HKL, Misconduct, RE4
<b>RELIEF REQUESTED</b>	Honorable
<b>RELIEF GRANTED BY DRB</b>	None
<b>ADMIN CORRECTIONS</b>	None

<b>TIS</b>	4 yrs, 11 months, 8 days
<b>Policy Implications</b>	None

**EXECUTIVE SUMMARY:**

The applicant was discharged for Misconduct in 2010. The applicant was arrested the same year due to having possession of numerous files of child pornography. The applicant was still incarcerated by civilian authorities at the time of the Discharge two months later. The applicant's command followed proper procedure by providing the notification for Discharge due to commission of a serious offense. The applicant was advised of his rights to an attorney and the opportunity to make a statement. 10 days prior to the discharge, the applicant signed the administrative separation documents to waive any rights while making no objection to discharge.

The board notes that the applicant has only forwarded a receipt from the civilian court to state that the felony charges have now been expunged in the Fall of 2013. This does not remove or dismiss the wrongdoing or conviction from the record, rather it removes the offenses from being viewed by the general public to assist the ability to obtain employment, housing, or credit. Additionally, the applicant does not dispute or provide evidence to refute the sexual perversion offenses at any time before the separation, or currently. Also of note, the application enclosed a 2010 memo to discharge that reads a 'General' discharge. This memo in 2010 is referenced in the command's subsequent memo two months later that quickly addresses the consideration and recommendation for an Under Other Than Honorable discharge vice the initial General recommendation.

**Propriety:** Discharge was proper.

**Equity:** Discharge was equitable.

**Final Adjudication by Assistant Commandant For Human Resources:** No relief.