

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)

GRADE

AI<SN/SSAN

TYPE

PERSONAL APPEARANCE

X RECORD REVIEW

COUNSEL

NAME OF COUNSEL AND OR ORGANIZATION

ADDRESS A:IID (JR ORGANIZATION OF COUNSEL

YES **NO**

X

VOTE OF THE BOARD

MEMBERS SITTING

HON GEN UOHC: OTHER **DENY**

X
X
X
X
X

ISSUES
A94.05

INDEX NUMBER
A67.10

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
- TAPE RECORDING OF PERSONAL APPEARANCE HEARING

HEARING DATE
9 APR 03

CASE NUMBER
FD2003-0011

ISSUES AND THE BOARD'S DECISIONAL RATIONALE ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE.

REMARKS

Case heard at 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.

INFORMER

DATE: 9 APR 03

SAF/MIBR
550C STREET WEST, SUITE 40
RANDOLPH AFB, TX 78150-4742

FROM:

SECRETARY OF THE AIR FORCE PERSONNEL COUNCIL
AIR FORCE DISCHARGE REVIEW BOARD
1535 COMMAND F ANDREWS AFB, MD
20762-7002

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 to exercise this right.

The attached brief contains the available pertinent data on the applicant and the factors leading to the discharge.

FINDINGS: Upgrade of discharge is denied.

The board finds that neither evidence of record nor that provided by the applicant substantiates an inequity or impropriety, which would justify a change of discharge.

ISSUE: Applicant contends that his discharge was too harsh due to the fact that everything snowballed from a single, insignificant event made significant by someone who had more stripes than he. The record indicates the applicant received six Letters of Reprimand for failure to maintain his dormitory room in inspection order, being late for work several times, negligence in losing four military ID Cards, and for being insubordinate towards an NCO, violation of dormitory standards, and failure to obey an order. In addition, he received five Letters of Counseling for failure to pass his CDC test, lost his ID Card for the 2nd time, operating a golf cart in a reckless manner, being late for an appointment, late for work and sleeping during training. The DRB opined that through these administrative actions, the applicant had ample opportunities to change his negative behavior. The Board concluded the misconduct was a significant departure from conduct expected of all military members. The characterization of the discharge received by the applicant was found to be appropriate.

CONCLUSIONS: 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 that 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, thus the applicant's discharge should not be changed.

Attachment:

Examiner's Brief