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| **AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT** | CASE NUMBER FD-2019-00438 |
| GENERAL: The applicant was discharged on 30 Jan 18 in accordance with AFI 36-3208 with an Under Other Than Honorable Conditions discharge for in Lieu of Trial by Court Martial. The applicant appealed for an upgrade of his discharge characterization to Honorable. The board was conducted on 7 Jun 20.  The applicant was offered a personal appearance before the Discharge Review Board (DRB), but declined and requested the board be completed based on a records only review. The applicant was not represented by counsel.  The attached examiner’s brief (provided to applicant only), extracted from available service records, contains pertinent data regarding the circumstances and character of the applicant’s military service.    FINDING: The DRB voted unanimously to *deny* the applicant’s request to upgrade his discharge characterization to Honorable.  DISCUSSION: The DRB, under its responsibility to examine the propriety and equity of an applicant’s discharge, is authorized to change the characterization of service and the narrative reason for discharge if such changes are warranted. If applicable, the board can also change the applicant’s reenlistment eligibility code. In reviewing discharges, the board presumes regularity in the conduct of governmental affairs unless there is substantial credible evidence to rebut the presumption, to include evidence submitted by the applicant. The board completed a thorough review of the circumstances that led to the discharge and the discharge process to determine if the discharge met the pertinent standards of equity and propriety.  The applicant contended the discharge was inequitable because it was based on incident in over 15 years of service. The applicant states that no charges were filed against him, nor does he have an ART 15. He insists that he served two of three terms with honor.  The DRB determined that, through the administrative actions taken by the chain of command in this case, the applicant submitted and was approved for a discharge in lieu of trial by court-martial. After review of the applicant’s entire record, found no evidence of impropriety or inequity to warrant any changes to the discharge.  CONCLUSION: The board found insufficient evidence of an inequity or impropriety that would warrant a change to the applicant’s discharge. Therefore, the discharge received by the applicant was deemed to be appropriate and his request was not approved.  The DRB results were approved by the board president on 10 Feb 20. If desired, the applicant can request a list of the board members and their votes by writing to:  Air Force Review Boards Agency  Attn: Discharge Review Board  3351 Celmers Lane  Joint Base Andrews, NAF Washington, MD 20762-6602  Attachment: Examiner's Brief | |