|  |  |
| --- | --- |
| **AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT** | CASE NUMBER FD-2020-00579 |
| GENERAL: The applicant was discharged on 22 Aug 16 in accordance with AFI 36-3208 with a General discharge for Misconduct (Minor Infractions). The applicant appealed for a change to the reenlistment eligibility code. The board was conducted on 17 Sep 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 deny the applicant’s request to change the reenlistment eligibility code to 3K.  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’s record of service included two Letters of Reprimand, and one Letter of Counseling. His misconduct included: failure to go at prescribed time to appointed place of duty (X3).  The applicant made no contentions that the discharge was inequitable or improper. The applicant admits that he mentally checked out while in training which resulted in the failure of two block exams. The applicant insists that he was matured over the past 5-years and is requesting the change in an order to return to military service.  The applicant believed he deserved a second chance despite his misconduct in order to have the opportunity to serve in the military again. The DRB determined that, through the administrative actions taken by the chain of command in this case, the applicant had ample opportunities to change his negative behavior. It found the seriousness of the applicant’s willful misconduct offset the positive aspects of his service.  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 2 Oct 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 (Applicant Only) | |