

AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT**SUMMARY:**

The applicant was discharged on 25 July 2022 in accordance with Air Force Instruction 36-3208, *Administrative Separation of Airman* with an Under Other Than Honorable Conditions discharge In Lieu of Trial by Court Martial. The applicant appealed for an upgrade of his discharge characterization.

The applicant was not represented by counsel.

The applicant requested the board be completed based on a records only review. The Board was conducted on 27 July 2023.

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.

DISCUSSION: The Discharge Review Board (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 a Court Martial Charge sheet. His misconduct included: On or about 12 May 2022, without authority and with intent to remain away, permanently absented himself from his place of duty, and remained absent until apprehension on 14 May 2022; On or about 25 April 2022, without authority, absent himself from his place of duty at which he was required to be, and remained absent until 27 April 2022; On or about 9 May 2022, without authority, absent himself from his place of duty until on or about 9 May 2022; On or about 10 May 2022, without authority, absent himself from his place of duty, and remained absent until 11 May 2022; On or about 11 May 2022, without authority, fail to go at the time prescribed to his appointed place of duty; Having knowledge of a lawful order to not leave base, did so, between on or about 9 May 2022 and on or about 11 May 2022; Having knowledge of a lawful order to not make contact with another Airman, did so on divers occasions between on or about 15 March 2022 and on or about 13 May 2022; Wrongfully used cocaine, a Schedule II controlled substance; and wrongfully used marijuana, a Schedule I controlled substance.

The documentary evidence the Board considered as part of the review includes, but is not limited to the DD Form 293, *Application for the Review of Discharge from the Armed Forces of the United States*, and any additional documentation submitted by applicant and/or counsel; the applicant's personnel file from the Automated Records Management System (ARMS); and the DRB Brief detailing the applicant's service information and a summary of the case.

The applicant offered no contentions. He explained his service history and talked about his alcohol issue. The applicant asked that the Board to consider the good that he did in service.

The DRB reviewed the applicant's entire service record and found no evidence of impropriety or inequity to warrant an upgrade of the discharge. The Board took note of the applicant's duty performance and other accomplishments during service but found that the seriousness of his willful misconduct offset the positive aspects of his service. The characterization of the discharge received by the applicant was deemed to be appropriate.

FINDING: The DRB voted unanimously to *deny* the applicant's request to upgrade his discharge characterization, to change the discharge narrative reason, and to change the reenlistment eligibility code.

Should the applicant wish to appeal this decision, the applicant must request a personal appearance before this Board before applying for relief to the Air Force Board for Correction of Military Records (AFBCMR). In accordance with DAFI 36-2603, *Air Force Board for Correction of Military Records*, all applicants before the AFBCMR must first exhaust available administrative avenues of relief before applying to the AFBCMR, otherwise their AFBCMR case will be administratively closed until such time that the applicant avails themselves of the available avenue of relief. Therefore, should the applicant wish to appeal this decision, they must first exercise their right to make a personal appearance before the AFDRB.

CONCLUSION: After a thorough review of the available evidence, to include the Applicant's issues, summary of service, service/medical record entries, and discharge process, the Board found the discharge was proper and equitable. Therefore, the awarded characterization of service shall remain "Under Other Than Honorable Conditions," the narrative reason for separation shall remain "In Lieu of Trial by Court Martial," and the reentry code shall remain "2B." The Air Force DRB (AFDRB) results were approved by the board president on 28 July 2023. 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

Instructions on how to appeal an AFDRB decision can be found at <https://afrbaportal.azurewebsites.us>

Attachment:
Examiner's Brief (Applicant Only)