

AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL DOCUMENT

SUMMARY:

The applicant was discharged on 10 May 2013 in accordance with Air Force Instruction 36-3208, *Administrative Separation of Airmen*, with a General discharge for Misconduct. The applicant appealed for a change to the reentry code.

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 15 February 2024.

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.

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 reentry 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 Letter of Reprimand for Criminal Mischief.

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 has actively sought to amend his reentry code for potential reenlistment. He acknowledges that his discharge was equitable and expresses a genuine willingness to learn from his past mistakes. Taking full responsibility for his actions, he emphasizes that all civil charges against him were dismissed. He has engaged with military recruiting; however, he is unable to proceed with processing due to the existing reenlistment code.

Upon thorough review of the record, the DRB observed no evidence of impropriety or inequity in the discharge process. Conclusively, the DRB found the assigned "General" discharge to be equitable at the time of issuance, with no discernible errors or due process violations. Subsequently, he faced criminal mischief charges in civilian court and was discharged accordingly. As stipulated in DODI 1332.28 E4.3.3, relief may be justified based on supplementary evidence, even if the initial discharge was deemed equitable. The applicant presents several compelling factors supporting military reenlistment. Most notably, he has a commendable service record, graduating with honors and excelling in various demanding combat controller courses. His overall capabilities are highly favorable, highlighted by exceptional ASVAB scores and proficiency as an Air Traffic Controller.

The DRB voted unanimously to **approve** the applicant's request to change the reentry code.

After a thorough review of the available evidence, to include the Applicant's issues, summary of service, and discharge process, the Board found the discharge characterization was proper and equitable, but the reentry code was inequitable. Therefore, the reentry code shall change to "3K". The Air Force DRB (AFDRB) results were approved by the Presiding Officer on 4 Mar 24. 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://afrbportal.azurewebsites.us>

Attachment:
Examiner's Brief (Applicant Only)