

**SUMMARY:** The Applicant was discharged on 26 February 2020 in accordance with Air Force Instruction 36-3208, Administrative Separation of Airmen, with a General Discharge for a Pattern of Misconduct. The Applicant appealed for an upgrade of their discharge characterization and a change to the reentry code and separation code.

The Applicant requested the Board be completed based on a records only review. The Board was conducted on 09 October 2024. 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.

**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 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 multiple Article 15s for assault and disobeying no-contact orders.

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 made no contentions. Upon receipt of the application, the DRB staff sent a request for missing supporting evidence and contentions to the Applicant without response. The Applicant did submit three character reference letters all endorsing he was a dedicated Airman and deserving of a discharge upgrade.

A review of the Applicant's record revealed he was twice punished under Article 15, UCMJ, once for disobeying two no-contact orders, and the second time for assaulting a female by pushing her and causing her to hit her head on a wall. The Applicant was subsequently discharged for a pattern of misconduct.

The Applicant made no contentions that the discharge was inequitable or improper. 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 and the discharge was appropriate.

Additionally, the Board considered the factors laid out in the attachment to the Under Secretary of Defense memorandum, *Guidance to Military Discharge Review Boards and Boards for Correction of Military/Naval Records Regarding Equity, Injustice, or Clemency Determinations*, dated 25 June 2018, known as the "Wilkie Memo." The Board considered the factors listed in paragraphs (6)(a)-(6)(l) and (7)(a)-(7)(r) of this memorandum and found no evidence of inequity or impropriety.

**FINDING:** The DRB voted unanimously to *deny* the Applicant's request to upgrade his discharge characterization and to change the reentry code and separation 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, the narrative reason for separation shall remain, and the reentry code and separation code shall remain. The Air Force DRB (AFDRB) results were approved by the Presiding Officer on 09 October 2024. 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)