

RECORD OF PROCEEDINGS  
AIR FORCE BOARD FOR CORRECTION OF MILITARY RECORDS

IN THE MATTER OF:

DOCKET NUMBER: 98-01798

COUNSEL: NONE

DEC 9 1998

HEARING DESIRED: NO

Applicant requests that his discharge be upgraded to honorable. Applicant's submission is at Exhibit A.

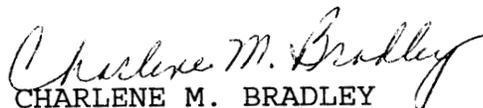
The Air Force Discharge Review Board (AFDRB) denied applicant's request on 22 January 1998. In accordance with policy, the application was forwarded to this Board for further consideration (Exhibit C). The AFDRB brief was forwarded to applicant for review and response (Exhibit D). Applicant's response is at Exhibit E.

After careful consideration of applicant's request and the available evidence of record, we find insufficient evidence of error or injustice to warrant corrective action. The facts and opinions stated in the AFDRB brief appear to be based on the evidence of record and have not been rebutted by applicant. Absent persuasive evidence applicant was denied rights to which entitled, appropriate regulations were not followed, or appropriate standards were not applied, we find no basis to disturb the existing record.

Accordingly, applicant's request is denied.

The Board staff is directed to inform applicant of this decision. Applicant should also be informed that this decision is final and will only be reconsidered upon the presentation of new relevant evidence which was not reasonably available at the time the application was filed.

Members of the Board Ms. Charlene M. Bradley, Mr. Terry A. Yonkers, and Ms. Peggy E. Gordon, considered this application on 16 December 1998, in accordance with the provisions of Air Force Instruction 36-2603, and the governing statute, 10, U.S.C. 1552.

  
CHARLENE M. BRADLEY  
Panel Chair

Exhibits:

- A. Applicant's DD Form 149
- B. Available Master Personnel Records
- C. AFDRB Brief
- D. AFBCMR Ltr Forwarding AFDRB Brief
- E. Applicant's Response



DEPARTMENT OF THE AIR FORCE  
PACIFIC AIR FORCES

MEMORANDUM FOR A1C [REDACTED]

MAR 13 1997

FROM: [REDACTED] OSS/CCQ

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for Misconduct - Drug Abuse. The authority for this action is AFD 36-32 and AFI 36-3208, paragraph 5.54. If my recommendation is approved, your service could be characterized as honorable or general. I am recommending that your service be characterized as general.

2. My reason for this action is as follows:

On 12 Jan 97, you provided a urine sample for drug testing purposes which tested positive for marijuana (Atch 1). For this incident you received an Article 15, dated 11 Mar 97 (Atch 2).

3. Copies of the documents to be forwarded to the separation authority in support of this recommendation are attached. The commander exercising SPCM jurisdiction or higher authority will decide whether you will be discharged or retained in the Air Force.

4. You have the right to consult counsel. Military legal counsel has been obtained to assist you. I have made an appointment for you to consult Capt [REDACTED], Area Defense Counsel, Building 3112, Room 155, [REDACTED] FB, [REDACTED], on 13 MAR 97 at 1400 hrs. You may consult civilian counsel at your own expense.

5. You have the right to submit statements in your own behalf. Any statements you want the separation authority to consider must reach me by (3 duty days) 18 Mar 97, unless you request and receive an extension for good cause shown. I will send them to the separation authority.

6. If you fail to consult counsel or to submit statements in your own behalf, your failure will constitute a waiver of your right to do so.

7. You have been scheduled for a medical examination. You must report to the Physical Examination Section, [REDACTED] Medical Group, Building 3349, at 0800 on 13 MAR 97 for the examination.

8. Any personal information you furnish in rebuttal is covered by the Privacy Act of 1974. A copy of AFI 36-3208 is available for your use in your orderly room.

18-01798

9. Execute the attached acknowledgment and return it to me immediately.

[REDACTED]  
[REDACTED] 2Lt, USAF  
Squadron Section Commander, 354 OSS

**Attachments:**

1. DTP Results dated 13 Jan97
2. Article 15 dated 11 Mar97

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