

PART VI - ISSUES AND FINDINGS

1. a. Applicant's issue(s) of propriety and/or equity:

- (X) Same as those listed on DD Form 293 and Part IV, Section A of this case report and directive.
- () Revised issue(s) furnished in writing by applicant as follows:
- (X) Additional issue(s) identified during review/hearing as follows:

Board Issue: (2) The discharge is improper.

b. Request: (X) Recharacterization () Change of Reason

2. Finding(s), conclusion(s), and reason(s) for the Board's decision(s) on issues of propriety and/or equity:

a. Propriety: The parenthetical number(s) below correspond(s) to the issue number(s) on the DD Form 293, or in Part VI, Paragraph 1, above.

(2) The issue is accepted. The Board carefully examined the applicant's record of service during the period of enlistment under review. The Board noted that the unit commander used "Board Procedures" when notifying the applicant that he was initiating action to separate him under the provisions of Chapter 14, AR 635-200, by reason of misconduct. By using "Board Procedures" the authority for approval of the applicant's separation rested with the General Court-Martial Convening Authority. The evidence of record shows that someone other than the General Court-Martial Convening Authority approved the applicant's discharge. In view of the foregoing, the Board determined that the discharge was improper. Accordingly, the Board voted to grant full relief in the form of an upgrade of characterization of service to fully honorable and a change to the narrative reason for separation to Secretarial Authority. This action does not entail a change to the reentry eligibility (RE) code.

b. Equity: The parenthetical number(s) below correspond(s) to the issue number(s) on the DD Form 293, or in Part VI, Paragraph 1, above.

(1) See Paragraph 3, below.

3. Response(s) to item(s) not addressed as decisional issue(s):

Inasmuch as the Board voted to grant the full relief requested, response to the remaining issue is neither required nor rendered.