

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) [REDACTED]	GRADE AMN	AFSN/SSAN [REDACTED]
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TYPE	PERSONAL APPEARANCE	X RECORD REVIEW
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COUNSEL	NAME OF COUNSEL AND OR ORGANIZATION	ADDRESS AND OR ORGANIZATION OF COUNSEL
YES	NO	
	X	

MEMBERS SITTING	VOTE OF THE BOARD				
	HON	GEN	UOTHC	OTHER	DENY
[REDACTED]					X
[REDACTED]					X
[REDACTED]					X
[REDACTED]					X
[REDACTED]					X

ISSUES A95.00	INDEX NUMBER A67090	EXHIBITS SUBMITTED TO THE BOARD		
		1	ORDER APPOINTING THE BOARD	
		2	APPLICATION FOR REVIEW OF DISCHARGE	
		3	LETTER OF NOTIFICATION	
		4	BRIEF OF PERSONNEL FILE	
			COUNSEL'S RELEASE TO THE BOARD	
			ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE	
			TAPE RECORDING OF PERSONAL APPEARANCE HEARING	
HEARING DATE 30 Oct 02	CASE NUMBER FD2002-0229			

APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONAL ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE.

REMARKS
Case heard at Washington, D.C.

Advise applicant of the decision of the Board, the right to a personal appearance, and the right to submit an application to the AFBCMR.

SIGNATURE OF RECORDER [REDACTED]	SIGNATURE OF BOARD PRESIDENT [REDACTED]
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INDORSEMENT	DATE: 30 Oct 02
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TO: SAF/MIBR 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742	FROM: SECRETARY OF THE AIR FORCE PERSONNEL COUNCIL AIR FORCE DISCHARGE REVIEW BOARD 1535 COMMAND DR, EE WING, 3 RD FLOOR ANDREWS AFB, MD 20762-7002
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AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

CASE NUMBER

FD02-0229

GENERAL: The applicant appeals for upgrade of discharge to Honorable.

The applicant was offered a personal appearance before the Discharge Review Board (DRB) but declined to exercise this right.

The attached brief contains the available pertinent data on the applicant and the factors leading to the discharge.

FINDINGS: Upgrade of discharge is denied.

The board finds that the applicant submitted no issues contesting the equity or propriety of the discharge, and after a thorough review of the record, the Board was able to identify none that would justify a change of discharge.

ISSUE: The applicant submitted no issues and requested that the review be completed based on the available service record. The Board reviewed the entire record and found no evidence of impropriety or inequity in this case on which to base an upgrade of discharge. The records indicated applicant received an Article 15 for damaging a vending machine and stealing money and snack food. He also received a Letters of Reprimand, three Letters of Counseling, and a Memorandum for Record for failing his end of course examination and was arrested and charged with larceny. The DRB opined that through these administrative actions, the applicant had ample opportunities to change his negative/repetitive behavior. The Board concluded the disciplinary infractions were a significant departure from the conduct expected of all military members. The Board found no evidence of impropriety or inequity in this case on which to base an upgrade of discharge.

CONCLUSIONS: The Discharge Review Board concludes that the discharge was consistent with the procedural and substantive requirements of the discharge regulation and was within the discretion of the discharge authority and that the applicant was provided full administrative due process.

In view of the foregoing findings the board further concludes that there exists no legal or equitable basis for upgrade of discharge, thus the applicant's discharge should not be changed.

Attachment:
Examiner's Brief

DEPARTMENT OF THE AIR FORCE
 AIR FORCE DISCHARGE REVIEW BOARD
 ANDREWS AFB, MD

(Former AMN) (HGH A1C)

MISSING DOCUMENTS

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 01/02/07 UP AFI 36-3208, para 5.50.2 (Misconduct - Conduct Prejudicial to Good Order and Discipline). Appeals for Honorable Disch.

2. **BACKGROUND:**

a. DOB: 79/02/13. Enlmt Age: 17 1/12. Disch Age: 21 11/12. Educ:HS DIPL. AFQT: N/A. A-62, E-67, G-53, M-62. PAFSC: 2W151 - Aircraft Armament Systems Journeyman. DAS: (EPR Indicates): 97/07/22-99/03/01.

b. Prior Sv: (1) AFRes 97/01/17 - 97/07/01 (5 months 15 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as 97/07/02 for 4 yrs. Svd: 03 Yrs 07 Mo 06 Das, all AMS.

b. Grade Status: AMN - 00/06/17 (Article 15, 00/06/17)
 A1C - 98/11/02
 AMN - 98/01/02

c. Time Lost: none.

d. Art 15's: (1) 00/06/17, Whiteman AFB, MO - Article 109. You did, on or about 29 May 00, willfully and wrongfully damage by pulling on the door, a privately owned vending machine, the amount of said damage being in the sum of about \$100.00, the property of ----- Vending Incorporated. Article 121. You did, on or about 29 May 00, steal money and snack food items of a value of about \$87.50, the property of ----- Vending Incorporated. Reduction to Amn, forfeiture of \$200.00 pay per month for two months, 45 days restriction, and 45 days extra duty. (Appeal/Denied) (No mitigation)

e. Additional: (SOURCE: AF FORM 286A)

LOC, 03 FEB 99 - Late for work.

LOC, 16 MAR 99 - Late for work.

LOR, 06 MAY 99 - Late for work.

20 JUL 99 - Late credit payments.

1999 - Failed End of Course examination Block A.

LOC, 17 FEB 00 - Lying.

31 MAY 00 - Arrested and charged with larceny.

f. CM: none.

g. Record of SV: 97/07/02 - 99/03/01 Whiteman AFB 4 (Initial)
99/03/02 - 00/03/01 Whiteman AFB 4 (Annual)
00/03/02 - 00/07/31 Whiteman AFB 1 (CRO)REF

(Discharged from Whiteman AFB)

h. Awards & Decs: AFAM, AFTR, AFOUA, AFGCM.

i. Stmt of Sv: TMS: (04) Yrs (00) Mos (21) Das
TAMS: (03) Yrs (07) Mos (06) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 02/05/22.
(Change Discharge to Honorable)

NO ISSUES SUBMITTED.

ATCH
none.

02/09/05/ia



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS 509TH BOMB WING (ACC)
WHITEMAN AIR FORCE BASE, MISSOURI

6 FEB 2001

MEMORANDUM FOR 509 MSS/DPMAR

FROM: 509 BW/CC

SUBJECT: Administrative Discharge [REDACTED]

I have reviewed [REDACTED] discharge file. The evidence contained therein is sufficient to warrant discharge of [REDACTED] per AFI 36-3208, paragraph 5.50.2 for a pattern of misconduct. I considered probation and rehabilitation, but found them inappropriate in this case. I have concluded that [REDACTED] misconduct and continued presence in the Air Force is contrary to good order and discipline. I hereby direct you to discharge [REDACTED] from the United States Air Force with an under honorable conditions (general) discharge, within 1 duty day.

[REDACTED]

Commander

Attachment:
Case File [REDACTED]