

**AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD**

<b>NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)</b> [REDACTED]	<b>GRADE</b> A1C	<b>AFSN/SSAN</b> [REDACTED]
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<b>TYPE</b>	<b>X PERSONAL APPEARANCE</b>	<b>RECORD REVIEW</b>
<b>COUNSEL</b>		<b>ADDRESS AND OR ORGANIZATION OF COUNSEL</b>
<b>YES</b>	<b>NO</b>	
	<b>X</b>	

<b>MEMBERS SITTING</b>	<b>VOTE OF THE BOARD</b>				
	HON	GEN	UOHC	OTHER	DENY
[REDACTED]					<b>X</b>
[REDACTED]					<b>X</b>
[REDACTED]					<b>X</b>
[REDACTED]					<b>X</b>
[REDACTED]					<b>X</b>

<b>ISSUES</b> A47.00, A94.05	<b>INDEX NUMBER</b> A67.10	<b>EXHIBITS SUBMITTED TO THE BOARD</b>		
		<b>1</b>	ORDER APPOINTING THE BOARD	
		<b>2</b>	APPLICATION FOR REVIEW OF DISCHARGE	
		<b>3</b>	LETTER OF NOTIFICATION	
		<b>4</b>	BRIEF OF PERSONNEL FILE	
			COUNSEL'S RELEASE TO THE BOARD	
			ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE	
			TAPE RECORDING OF PERSONAL APPEARANCE HEARING	

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

**REMARKS**  
 Case heard at Scott AFB, Illinois.  
  
 Advise applicant of the decision of the Board and the right to submit an application to the AFBCMR.

<b>SIGNATURE OF RECORDER</b> [REDACTED]	<b>SIGNATURE OF BOARD PRESIDENT</b> [REDACTED]
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<b>INDORSEMENT</b>	<b>DATE: 2 JUN 03</b>
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<b>TO:</b> SAF/MIBR 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742	<b>FROM:</b> SECRETARY OF THE AIR FORCE PERSONNEL COUNCIL AIR FORCE DISCHARGE REVIEW BOARD 1535 COMMAND DR, EE WING, 3 <sup>RD</sup> FLOOR ANDREWS AFB, MD 20762-7002
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**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

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

The applicant appeared and testified before the Discharge Review Board (DRB), without counsel, at Scott AFB, IL on June 2, 2003. The following additional exhibits were submitted at the hearing:

Exhibit 5: Applicant's contentions.

Exhibit 6: Character Letter from Christian Broadway Church, 21 May 03

Exhibit 7: Ivy Tech State College Transcript, 19 May 03

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

**FINDINGS:** Upgrade of discharge to Honorable is denied.

The Board finds that neither the evidence of record or that provided by the applicant substantiates an impropriety that would justify upgrade of the discharge.

**ISSUES:** The applicant was discharged with a General Discharge for Misconduct – Minor Disciplinary Infractions. Member received an Article 15 for failure to go, failure to obey a lawful order, and with the intent to deceive, made a false official statement. He also received two Letters of Reprimand for financial irresponsibility and dereliction of duty; one Record of Individual Counseling for financial irresponsibility, and one Memorandum for Record for dereliction of duty. Member stated his financial irresponsibility was partially due to his wife's spending habits and his inability to control her. The applicant attended financial counseling twice although he made an official statement of attending once. Additionally, member stated his financial problem was so enormous he used his government credit card to purchase food.

The DRB opined that through these administrative actions, the applicant had ample opportunities to change his negative behavior. The Board concluded the misconduct was a significant departure from conduct expected of all military members. The characterization of the discharge received by the applicant was found to be appropriate.

**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.

Attachment:  
Examiner's Brief

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

[REDACTED]  
[REDACTED]  
(Former A1C) (HGH SRA)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 5 Jun 95 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 23 Jun 70. Enlmt Age: 17 9/12. Disch Age: 24 11/12. Educ: HS DIPL. AFQT: N/A. A-79, E-80, G-70, M-65. PAFSC: 2A452 - Aircraft Communications and Navigational Systems Journeyman. DAS: 8 May 91.

b. Prior Sv: (1) AFRes 7 Apr 88 - 7 Feb 89 (10 months 1 day) (Inactive).

(2) Enlisted as AB 8 Feb 89 for 4 yrs. Served: 3 yrs 6 months 1 day, all AMS. AMN - 8 Aug 89. A1C - 8 Jun 90. SRA - 8 Feb 92. EPRs: 4,4,4.

3. **SERVICE UNDER REVIEW:**

a. Reenlisted as SRA 10 Aug 92 for 4 yrs. Extended 3 Jan 94 for 22 months. Svd: 2 Yrs 9 Mo 26 Das, all AMS.

b. Grade Status: A1C - 25 Apr 95 (Article 15, 25 Apr 95)

c. Time Lost: None.

d. Art 15's: (1) 25 Apr 95, Dyess AFB, TX - Article 86. You did, without authority, fail to go at the time prescribed to your appointed place of duty. Article 92. You, having knowledge of a lawful order issued by LtCol -----, to wit: you were ordered to use your ----- card for official government business only in connection with TDY assignments, an order which it was your duty to obey, did, on or about 26 Nov 94 through on or about 10 Dec 94, fail to obey the same by wrongfully using your ----- for non-TDY purposes. Article 107. You did, on or about 1 Mar 95, with intent to deceive, make to TSgt --- an official statement, to wit: you had not gone through financial counseling yet, which statement was false in that you had attended financial counseling twice, and was then known by you to be so false. Reduction to A1C. (No appeal) (No mitigation)

e. Additional: RIC, 13 JUL 94 - Financial irresponsibility.  
LOR, 10 JUN 94 - Financial irresponsibility.  
LOR, 13 MAY 94 - Dereliction of duty.

f. CM: None.

g. Record of SV: 6 Apr 92 - 5 Apr 93 Dyess AFB 3 (Annual)  
6 Apr 93 - 5 Apr 94 Dyess AFB 2 (Annual)

(Discharged from Dyess AFB)

h. Awards & Decs: AFOUA W/1 DEV, NDSM, AFEM, HSM, AFOSSTR, AFLSAR, NCOPMER, AFTR.

i. Stmt of Sv: TMS: (7) Yrs (1) Mos (29) Das  
TAMS: (6) Yrs (3) Mos (29) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 2 Jan 03.  
(Change Discharge to Honorable)

Issue 1: I was TDY to Lackland AFB for a medical issue. I had used my Air Force issued ----- Card during that time. When I had returned to my assigned base (Dyess AFB), I received a bill for my ----- Card. At the time, my wife and I were financially strained. We had accumulated more bills than I could afford at the time. My wife had started working a new job but had not received a check yet. We had used the TDY reimbursement to pay bills, intending to pay the ----- the full amount with both our paychecks. Our paychecks were not enough to pay the full amount back. I had called ----- and explained our situation. I asked if we could pay half now and the other half the following month. ----- agreed. According to the contract for my Air Force issued ---- Card, I was to pay the full amount at the end of the month.

After my discharge from the Air Force, I claimed bankruptcy for other debts incurred by my wife. We were divorced 18 months later.

**ATCH**  
None.

10MAR03/ia

FD 2003 - 00007



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS 7TH WING (ACC)  
DYESS AIR FORCE BASE, TEXAS

37 MAY 1995

MEMORANDUM FOR [REDACTED]

FROM: 40 AS/CC

SUBJECT: Notification Letter - Board Hearing

1. I am recommending your discharge from the United States Air Force for Minor Disciplinary Infractions, according to AFD 36-32 and AFI 36-3208, dated 14 Oct 94, under the provisions of paragraph 5.49. Copies of the documents to be forwarded to the separation authority to support this recommendation are attached.

2. My reasons for this action are:

a. You did, on 11 Apr 95, without authority, fail to go at the time prescribed to your appointed place of duty, as evidenced by AF Form 3070 dated 25 Apr 95.

b. You did, on 26 Nov 94 through 10 Dec 94, fail to obey a lawful order issued by [REDACTED] by using your AMEX government credit card for unofficial purposes, as evidenced by AF Form 3070 dated 25 Apr 95.

c. You did, on 1 Mar 95, with intent to deceive, make a false official statement to [REDACTED] by saying that you had not gone through financial counseling, which statement was false, as evidenced by AF Form 3070 dated 25 Apr 95.

d. You did, on 13 Jul 94, fail to pay your DPP account (AAFES) in the amount of \$1,310.52, as evidenced by AF Form 174 dated 13 Jul 94.

e. You did, on 20 and 21 May 94, write two checks to the Dyess AFB Exchange, totaling in the amount of \$19.50, and thereafter fail to maintain sufficient funds in your bank account to cover said checks upon presentment for payment, as evidenced by LOR dated 10 Jun 94 and AF Form 1058 dated 16 Jun 94.

f. You were, on 3 May 94, derelict in the performance of your duties in that you failed to sign off after an isochronal inspection on aircraft 2065 and your quality of the check was found to be poor, requiring several man-hours to repair items you should have checked, as evidenced by LOR dated 13 May 94.

3. This action could result in your separation with an Under Other Than Honorable Conditions discharge. I am recommending that you receive a General (Under Honorable Conditions) discharge. The commander exercising SPCM jurisdiction or a higher authority will make the final decision in this matter. If you are discharged, you will be ineligible for reenlistment in the Air Force and will probably be denied enlistment in any component of the armed forces.

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- 4. You have the right to:
  - a. Consult legal counsel.
  - b. Present your case to an administrative discharge board.
  - c. Be represented by legal counsel at a board hearing.
  - d. Submit statements in your own behalf in addition to, or in lieu of, the board hearing.
  - e. Waive the above rights. You must consult legal counsel before making a decision to waive any of your rights.

5. Military legal counsel, [redacted] duty phone 6-4233, has been obtained to assist you. An appointment has been scheduled for you to consult him on 8 May 95 at 1400 hours. Instead of the appointed counsel, you may have another, if the lawyer you request is in the active military service and is reasonably available as determined according to AFI 51-201. In addition to military counsel, you have the right to employ civilian counsel. The Air Force does not pay expenses incident to the employment of civilian counsel. Civilian counsel, if employed, must be readily available.

6. Confer with your counsel and reply, in writing, within 7 workdays, specifying the rights you choose to exercise. The statement must be signed in the presence of your counsel who also will sign it. If you waive your right to a hearing before an administrative discharge board, you may submit written statements in your own behalf. I will send the statements to the discharge authority with the case file to be considered with this recommendation. If you fail to respond, your failure will constitute a waiver of the right to the board hearing.

7. Any personal information you furnish in rebuttal is covered by the Privacy Act of 1974. A copy of AFPD 36-32 and AFI 36-3208 is available for your use in the Orderly Room.

8. If you request a board and you fail to appear without good cause, your failure to appear constitutes a waiver of your right to be present at the hearing.

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

[redacted signature], USAF  
 Commander, 40 AS

Attachments

- 1. Airman's Receipt of Letter of Notification
- 2. AF Form 3070 dated 25 Apr 95
- 3. AF Form 174 dated 13 Jul 94
- 4. LOR dated 10 Jun 94
- 5. AF Form 1058 dated 16 Jun 94
- 6. LOR dated 13 May 94