

TYPE GEN		PERSONAL APPEARANCE		X RECORD REVIEW				
COUNSEL		NAME OF COUNSEL AND OR ORGANIZATION		ADDRESS AND OR ORGANIZATION OF COUNSEL				
YES	NO							
	X							
MEMBERS SITTING [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]				VOICE OF THE BOARD				
				HON	GEN	UOHC	OTHER	DENY
				X				
								X
				X				
								X
ISSUES A93.01, A93.03, A93.09		INDEX NUMBER A67.10		EXHIBITS SUBMITTED TO THE BOARD				
HEARING DATE 02-08-28		CASE NUMBER FD2002-0144		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			
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 and the right to a personal appearance with/without counsel, The right to submit an application to the AFBCMR.								
SIGNATURE OF RECORDER		SIGNATURE OF BOARD PRESIDENT						
[REDACTED]		[REDACTED]						
ENDORSEMENT		DATE: 02-08-28						
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						

AFHQ FORM 0-2077, JAN 00

(EF-V2)

Previous edition will be used.

AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

CASE NUMBER

FD2002-0144

GENERAL: The applicant appeals for upgrade of discharge to honorable, to change the reason and authority for the discharge, and to change his reenlistment code.

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

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

FINDINGS: Upgrade of discharge, change of reason and authority for the discharge, and change of reenlistment code are denied.

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

Issues. Applicant was discharged for minor disciplinary infractions. He had a Record of Individual Counseling, four Letters of Reprimand, and an Article 15. His misconduct included two instances of failure to remain in his dormitory room during specified hours, failure to obey a lawful order, disrespect to a civilian instructor and superior noncommissioned officer, a military uniform violation, smoking violation, and underage drinking. At the time of the discharge, member waived his rights to consult counsel and submit statements in his own behalf. Applicant now states his misconduct was the result of immaturity, stress, and inability to adapt to his career field. The Board noted that member was the same age as other airmen who adhere to the standards when his misconduct occurred, and he knew right from wrong. He was responsible for his actions and therefore held accountable for them. He was counseled repeatedly and given numerous opportunities to improve his behavior but failed to respond to those rehabilitative efforts. No inequity or impropriety was found in this discharge in the course of the records review.

The applicant cited his desire to return to military service. While the Board commends applicant on this desire, and is sympathetic to the impact a General discharge has on his reenlistment code, this is not a matter of equity or propriety that warrants an upgrade.

Applicant cited his desire to receive his G.I. Bill education benefits as justification for an upgrade. While the Board was sympathetic to the impact of the loss of these benefits on applicant, this is not a matter of equity or propriety that warrants an upgrade.

If the applicant can provide additional information about his discharge, and documented evidence to substantiate an inequity or impropriety, he should consider exercising his right to a personal appearance hearing, and be prepared to present the Board with evidence of an inequity or impropriety as well as any exemplary post-service accomplishments and contributions to the community.

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

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

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 01/04/12 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge, to Change the RE Code, and Reason and Authority for Disch.

2. **BACKGROUND:**

a. DOB: 81/10/26. Enlmt Age: 18 10/12. Disch Age: 19 5/12. Educ: HS DIPL. AFQT: N/A. A-63, E-50, G-48, M-41. PAFSC: 3E211 - Pavements and Construction Equipment Helper. DAS: 00/11/06.

b. Prior Sv: none.

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 00/09/21 for 4 yrs. Svd: 00 Yrs 06 Mo 22 Das, all AMS.

b. Grade Status: A1C - 01/03/23

c. Time Lost: none.

d. Art 15's: (1) 01/03/13, Sheppard AFB, TX - Article 92. You did, at or near Fort Leonard Wood, Missouri, on or about 11 Feb 01, violate a lawful general instruction, to wit: para 5.2.2, SAFBI 36-2902, dated 15 Oct, by wrongfully failing to remain in proper military uniform. You, who knew or should have known of your duties, at or near Fort Leonard Wood, Missouri, on or about 11 Feb 01, were derelict in the performance of those duties, in that you willfully failed to refrain from smoking cigarettes, as it was your duty to do. Forfeiture of \$521.00 pay and 15 days extra duty. (No appeal) (No mitigation)

e. Additional: LOR, 16 MAR 01 - Failure to remain in assigned dorm room from 2100-0400 & underage drinking.
LOR, 06 MAR 01 - Failure to obey a lawful order.
RIC, 22 FEB 01 - Failure to return and remain in assigned dorm room between 2100-0400.
LOR, 23 JAN 01 - Disrespect to instructor and noncommissioned officer.
LOR, 22 JAN 01 - Failure to go.

f. CM: none.

g. Record of SV: none.

(Discharged from Sheppard AFB)

h. Awards & Decs: AFTR.

i. Stmt of Sv: TMS: (00) Yrs (06) Mos (22) Das
TAMS: (00) Yrs (06) Mos (22) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 02/03/17.

(Change Discharge to Honorable, Change the RE Code, and Change the Reason and Authority for Discharge)

ISSUES ATTACHED TO BRIEF.

ATCH

1. Applicant's Issues.

02/07/15/ia

March 16, 2002

To whom it may concern:

I have been asked to address my reasons for leaving the military, while enlisted, with a separation. I had always been interested in serving in the military ever since I had discovered America's history in the classroom. How Roosevelt acted under pressure, and Truman, and the fact that I did not want to be a civilian who did not feel the need to contribute to the strength and stability of our country; a lot of civilians think that freedom is free, because all they have to do is flip the channel if they do not want to watch what is going on politically and militarily. I decided to enlist in the Air Force, thinking that this would be the best branch to serve in, and it was, but that was not the problem at all.

My initial enlistment was not really planned (I didn't understand how it all worked) and unresearched. I had the costs of college bearing down on my head and I was a naïve eighteen-year-old who thought I knew how the world worked, but I did not. I worked two jobs and still found myself worn out (hard work is no stranger to me) and without money; money left my pocket before it was replaced. The money I earned for the basic necessities of life all went toward college tuition. When I told my father I couldn't afford George Washington University's thirty thousand dollar a year tuition, he told me, "if you cannot continue school you cannot come home." I didn't want to end school, but taking up a third job and still having time to study did not seem to be a good an option. I couldn't go home, and that was understandable knowing the confinements of coming from a poor background. I was staying with an uncle who gave me three weeks to find a job that would fund a place with utilities for myself. I did not know what job I could get to resolve the situation; I only possessed the academic merits of a high school diploma and most high paying jobs want a college degree.

I went to an Air Force recruiter, who told me I could most likely get a job in a writing field, even if I did not get it guaranteed before I went in to boot camp. I did not have a lot of time to make a clear decision. So I enlisted without obtaining in writing, a guaranteed job; one that I would be best able to perform. When I was midway through basic training, I asked for a job that was less than the one I would be good at, although still desirable, one I thought would be good for me. Toward the end of basic training, I received a job that correlated with the lowest score on my A.S.V.A.B. My English and reading comprehension scores on the test were pretty good, but mechanical and spatial reasoning were kind of low.

I finished boot camp feeling: disciplined, humbled, and in good physical shape. When I arrived in A.I.T, although I had not gotten the job I knew I would do well in, I still wanted to make my family proud and succeed at the job anyway. I tried to learn my career field to the best of my ability, but I found, since I had no aptitude in Civil Engineering -I am a fighter and a writer- I found what most people found to be simple, to be the most difficult schooling I had ever experienced; harder than college. I did not fail tests on purpose, if you fail a test, you have to wait several weeks, and go take them again while your other classmates proceed ahead. I started to be thought of a somewhat dumb because I was having a hard time with the hands on parts of my training. The teachers said, " If it is so simple to us, how come you have so much trouble." The only way I can put it clearly is with an analogy of that: if you have never played in the sand would you know which shovel to use, and be good in using the shovel. I wasn't afraid to get my hands dirty, I did it every day, but the mechanical operating skills did not come naturally to me and sometimes not at all, yet I was still willing to learn. Others had asked for the CE job and knew all its aspects: they had driven dozers on farms, used graders to plant crops, and even backhoes too, I had not at all, I did not know what they were. Honestly, I had never even changed a tire before training.

I began to feel frustrated and smoked a cigarette while at chow break near the Marines; I needed to alleviate stress, and chose the wrong manner to do it. It was wrong and I am dense for doing it, it had alleviated stress at the time, but none of the cigarette smoking incidents was worth the repercussions of the actions themselves. I started to feel like my natural talents were stifled, the ones I am good at using, and would never really be able to show themselves, because I was performing a job that didn't need them at all. I felt I had no natural skills to have a good career in that field, so I went and asked to be reclassified; I wanted the years in the service to be productive. After I received the L.O.R. for smoking a cigarette during the duty day, I feel I gained a negative jacket, one I wasn't trying to get and one I tried to take off. I now realize it was a point of structural integrity of enlisted personnel they were trying to uphold, and my smoking broke a rule. Not being able to be a reclass struck a blow to my confidence and ability to perform because, even while being taught the field, it was like it just did not come to me. I was clumsier with machinery, and what other people could do with ease, seemed to take me forever, or more time to retake a course. When I progressed to the next step in training, the same teachers who noticed I was somewhat slow earlier in training were there to teach me, and some of the time, help me out, but I still struggled with construction machinery. I felt stressed and, even though I was trying, I unfortunately felt it was very hard even, as a taught Airman. I drank two to three times after the duty day at night, and was caught. I, mistakenly, had thought beer was the best

way, at the time to alleviate stress, even though; I am not really inclined to use alcohol. I should have rethought and taken a more responsible and appropriate approach. What I did was to relieve the burdens of technical training, technical training that I was not best suited for. I acted irresponsibly and those actions were just bad decisions on my part. What I did I think was recourse for the struggle of the hands on training that to me was extremely difficult. I wanted to finish and proceed into the operational Air Force. I felt that when I went in to the operational Air Force in the field of CE, that I would not be fully operational. Even trying to progress with what opportunities I had, I was hoping for a job, that in the event that a war came, I could perform to the best of my abilities. I had signed up for a job for six years in which I felt I did not have the skills to perform proficiently.

I felt even though I was working toward graduating the CE field, -I never intentionally neglect an opportunity even if I am not good with it- no matter how hard, that if I had gone in with a planned goal, like the one I have now of being a journalist in the Army, I would have thrived in the Air Force. After I had received rehabilitative punishment, endured open-mindedly, for the Letter of Reprimands, I was to have a clean slate after being rehabilitated and be able to get back on course by being put back in class. I successfully passed front-end loaders and tractor trailers because I was trying to learn the CE field and wanted to progress out of A.I.T. I joined the Air Force for a reason, even though at the beginning, I was not sure what job to perform, if it was not in a writing field. During this time I wanted to overcome my L.O.R.'s for stupid actions and perhaps be deployed at a later date. I had waited to get back into school and wanted to keep going.

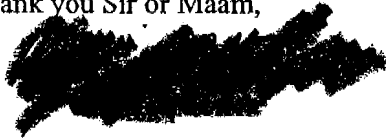
I enjoyed the camaraderie and loyalty I was a part of while in the service, everyone always looks out for other Airmen. I dishonored myself by drinking under the age and admit that smoking cigarettes on different occasions gave my instructor's an initial negative impression of me; one I wish I had not given by my actions at all. I am not proud of getting the Article 15, and am sorry I allowed teenage angst to define my term of service within the Air Force. The whole situation got out of hand and I did not want my career to be seriously hindered so I talked with First Sergeant. I did not know if I would ever truly understand the career field I was given. That was the point I thought about separating, but I still wanted to succeed in the Armed Forces. To this day I want to succeed, but perhaps in a different field and a different branch (I still like the Air Force it was the field of CE, and if I could still be in the Air Force I would be, I did not know how the circumstances could be reconciled) where there will be a clean slate and a job that would suit the militaries needs and my own; where there is no room for losing my focus. I do not want to just leave a mess of paperwork to be read that says I am not a good airmen and person. I want

to go into the Army and show what I can do, and what I am about, in a planned and thought about situation that can prove what I can do, by my actions and abilities, to the service. I do respect authority and recognize why it is put there in order to make a whole system work, almost like the cohesive affect of glue. I am sorry and regret, while in A.I.T., that my integrity faltered, at first, and let conceptions of my persona be construed in a negative manner in the eyes of my instructors, as to lead them to believe that I wasn't trying to be a good Airman. The situation denied my honorable, worthy values, and restricted my good qualities with talents that, to this day, lie dormant inside of my mentality along with personality that wait to be used in a productive and positive manner. I cannot change the events that regrettably occurred, on my part, during my CE training, I can only think about them -and have over time- and how I handled the situations, or what could have been done differently as to avoid disorder and continue progressing onward.

In my present state I wish and hope to redeem my image and reputation in the Armed Services. I wish to take my talents in a new direction toward a new goal. I will use new strategy and plan in mind, without holes, or room for mistakes at all. Where plans of what is to be of my life are seen at all times so I can get to a place in the service where I excel. I have spent time looking in to the journalism field and I think it is a good opportunity and I will be good at it, if I am allowed to enlist in the Army, and given another chance at serving my country in the right manner.

I have had a lot on my mind that I need to convey to some people that are willing to hear. I appreciate your willingness to take this letter into consideration in compiling your decision on my behalf.

Thank you Sir or Maam,



[REDACTED]
March 16, 2002
[REDACTED]

To whom it may concern:

If I am allowed to reenlist into a branch of the military, what I have in mind is the Army. If allowed I will not waste, or be a waste of the government's money and time. The opportunity will serve as a handout of and for a better future for the service and me.

I will contribute to the highest of my ability, without say: my time, sincerity, and commitment to the job I am obliged to, willfully, and without regret for my full term of service. When I was in High School, I always immersed myself in activities I had a definitive passion for doing; those that I would work best in, and would work best for me, almost in a kind of flow. I took Advanced placement English, Advanced placement History, Advanced Placement Biology, and other such courses I had an aptitude for, and which I felt would hone my mind and potential to be a better, and more educated person throughout life. When I was eighteen I didn't seem to fully understand the chances given in life to have a productive stance in society and be successful. The experience I had at that point, did not lend me the knowledge of if you have something good, go with, and not against the grain. I realize this every time I look at what I could have in the service and what time I did not use properly.

At this point I can still have a good career and possibilities at the end of my daily and yearly tunnel through life. I am a good person, and I think that if I had gone in the service with a planned goal, like with what I am thinking of toward the Army now, I would have never separated, it would not have crossed my mind. Every time an officer comes out of a subway tunnel and I see the insignia, or lapels on their collar, I look towards them and think about a commitment I would like to have again, a clean and crisp, honorable, worthy, and distinct image that accompanies the uniform when fit into. In high school I never enrolled in any class having to do with mechanics, or auto shop because that is the one field I have never had skill in, and is supremely difficult for me to

learn. With this realization of my lack of mechanical skill, my path changed to the humanities, and that is where it has flourished and has stayed. This is the reason I hope I am given a chance at redeeming myself, in the view of our Nation's military, by becoming journalist in the Army, because it is a career field that would be productive to and for, both the service, and me. I was thinking that I would go Airborne to get more experience.

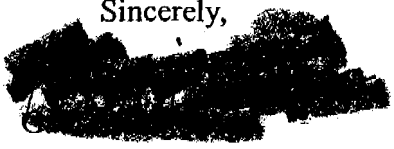
If the opportunity were given to me I would like to join the Army for four (uninterrupted) and productive years. I would like to be a journalist, because the truth can be presented in order to document what is going on and I do well in writing. I would like to use the Montgomery G.I. Bill to go to college and take college classes after I finish journalism training. In my spare time, I enjoy photography, and would have no problem conforming to the style and structure these activities would assume during my term of service. I like computers and have experience with file maker professional, the Internet, data entry, and technology in general. I have had small jobs, fast food, internships, but nothing you could call a career besides my time in the Air force, that I regretfully lost. I am sorry I didn't do things right the first time around and I have suffered at the cost of my decision to prematurely separate without running the whole gambit. I thought I knew without really knowing, even when I tried to contend against L.O.R.'s, I was just fumbling around in the dark without my future's flashlight. Sometimes people mess up and think for today, rather than tomorrow, and that's where they and I went wrong in the path.

I have had to take typing tests for jobs, and can type about forty-five words per minute; the skill helped me a lot when I was in yearbook. I feel I can articulate my thoughts well and like public speaking. I have always wanted to be in a journalism field and this is still my true passion. I have tried to put my all in these to letters, and in doing so, hope I -along with the military record researched- can give an accurate representation of who I was, am, and what I can become, so that image can be construed in your eyes.

My recruiter, a nice and honest fellow, divulged the information that I might have to wait a year to become a journalist out of boot camp, during that interval, between Journalism training, I was hoping I might be able to go Airborne. If this works out, I won't mind waiting because all good things come to those who wait. This possible

opportunity is beyond good and worth waiting for. I am, and have been sorry, and apologize for any reflections on myself and that upon the service that my actions, childishly, took part in during A.I.T. Thank you for taking the time to read this document and take it into consideration in compiling your decision.

Sincerely,



FD 2002-0144

[REDACTED]

To Whom It May Concern:

If decisions are made regarding a change in my DD Form 214, allowing reenlistment, or any changes at all, could two copies please be sent out. One copy to this address please:

[REDACTED]
[REDACTED]
[REDACTED]

And another copy to this second address please:

[REDACTED]
[REDACTED]
[REDACTED]

Thank you,

[REDACTED]

FD 2002-0144



DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND

9 Apr 01

MEMORANDUM FOR 782 TRG/CC

FROM: 82 TRW/JA

SUBJECT: Legal Review, Recommendation for Discharge - [REDACTED]
366 TRS, Det 7

1. We have reviewed this discharge case file and find it legally sufficient to support discharge in accordance with the provisions of AFI 36-3208. Based upon our review, we conclude that the incidents documented within this file sufficiently support [REDACTED] discharge from the Air Force. We concur with the 366 TRS, Det 7/CC that [REDACTED] should be discharged with an under honorable conditions (general) discharge in accordance with AFI 36-3208, paragraph 5.49 (minor disciplinary infractions).

2. Basis for Action. On 5 Apr 01, the 366 TRS, Det 7/CC notified A1 [REDACTED] that he was recommending that [REDACTED] be discharged from the service due to his misconduct.

3. Evidence for the Commander. The preponderance of the evidence in the case file supporting the detachment commander's recommendation consists of the following:

a. The respondent did, at or near Fort Leonard Wood MO, on or about 15 Mar 01, violate a lawful general instruction, to wit: SAFBI 36-2902, paragraph 5.2.5, dated 15 Oct 97, failing to return to and remain in his assigned dormitory from 2100-0400. For this misconduct and subparagraph "b" below, he received a Letter of Reprimand (LOR) on 16 Mar 01.

b. The respondent did, at or near Fort Leonard Wood MO, on or about 15 Mar 01, violate a lawful general instruction, to wit: SAFBI 36-2902, paragraph 2.1.11, dated 15 Oct 97, by consuming alcoholic beverages while under the legal drinking age of 21.

c. The respondent did, at or near Fort Leonard Wood MO, on or about 11 Feb 01, violate a lawful general instruction, to wit: SAFBI 36-2902, paragraph 5.2.2, dated 15 Oct 97, by wrongfully failing to remain in proper military uniform. For this misconduct and subparagraph "d" below, he received an Article 15 on 13 Mar 01.

d. The respondent, who knew or should have known of his duties at Fort Leonard Wood MO, on or about 11 Feb 01, was derelict in the performance of those duties in that he willfully failed to refrain from smoking cigarettes, as it was his duty to do.

e. The respondent, having knowledge of a lawful order issued by [REDACTED] and [REDACTED] to wit: an order which was his duty to obey, did, at or near Fort Leonard Wood MO, on or about 5 Mar 01, fail to obey the same by failing to place the grader in park position. For this misconduct, he received an LOR on 6 Mar 01.

f. The respondent did, at or near Fort Leonard Wood MO, between on or about 15 Feb 01 and on

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or about 18 Feb 01, violate a lawful general instruction, to wit: SAFBI 36-2902, paragraph 5.2.5, dated 15 Oct 97, by failing to return to and remain in his assigned dormitory from 2100-0400. For this misconduct, he received an AF Form 174, Record of Individual Counseling, on 22 Feb 01.

g. The respondent was, at Fort Leonard Wood MO, on or about 23 Jan 01, disrespectful to his instructor, [REDACTED] and a noncommissioned officer [REDACTED]. For this misconduct, he received an LOR on 23 Jan 01.

h. The respondent did, at or near Fort Leonard Wood MO, on or about 21 Jan 01, fail to go to his appointed place of duty at the appointed time, to wit: mandatory study session. For this misconduct, he received an LOR on 22 Jan 01.

4. Additional Information. The respondent is 19 years old, began his present enlistment on 21 Sep 00, and was assigned to his unit on 6 Nov 00. His ASVAB scores are as follows: A - 63, E - 50, G - 48, and M - 41. The respondent is entitled to wear the Air Force Training Ribbon. He has waived his right to consult with counsel and he has waived his right to submit statements for review.

5. We note no administrative errors of legal significance and we concur with the detachment commander's recommendation for an under honorable conditions (general) discharge.

6. In accordance with AFI 36-3208, your options are to:

- a. Direct [REDACTED] retention;
- b. Suspend an under honorable conditions (general) discharge and recommend Probation and Rehabilitation;
- c. Direct his discharge with an under honorable conditions (general) discharge; or
- d. Recommend that [REDACTED] be discharged with an honorable discharge. If you determine an honorable discharge is appropriate, this file must be forwarded to 2 AF/CC since only a General Court-Martial Convening Authority may approve an honorable discharge characterization when the basis for discharge is misconduct (AFI 36-3208, paragraph 5.48.4).

7. If you have any questions regarding this matter, please contact Cap [REDACTED] at ext 6-7186.

[REDACTED]
Colonel, USAF
Staff Judge Advocate

Attachment:
Case File

FD 2002-0144



DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND

05 APR 2001

MEMORANDUM FOR AIC [REDACTED] 366 TRS, DET 7

FROM: 366 TRS, DET 7/CC
181 COOLEY DRIVE, SUITE A
FORT LEONARD WOOD MO 65473

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for minor disciplinary infractions. The authority for this action is AFPD 36-32 and AFI 36-3208, paragraph 5.49. If my recommendation is approved, your service will be characterized as honorable or under honorable conditions (general). I am recommending that your service be characterized as under honorable conditions (general).

2. My reasons for this action are:

a. You did, at or near Fort Leonard Wood MO, on or about 15 Mar 01, violate a lawful general instruction, to wit: SAFBI 36-2902, paragraph 5.2.5, dated 15 Oct 97, fail to return to and remain in your assigned dormitory from 2100-0400. For this misconduct and subparagraph "b" below, you received a Letter of Reprimand (LOR) on 16 Mar 01.

b. You did, at or near Fort Leonard Wood MO, on or about 15 Mar 01, violate a lawful general instruction, to wit: SAFBI 36-2902, paragraph 2.1.11, dated 15 Oct 97, by consuming alcoholic beverages while under the legal drinking age of 21.

c. You did, at or near Fort Leonard Wood MO, on or about 11 Feb 01, violate a lawful general instruction, to wit: SAFBI 36-2902, paragraph 5.2.2, dated 15 Oct 97, by wrongfully failing to remain in proper military uniform. For this misconduct and subparagraph "d" below, you received an Article 15 on 13 Mar 01.

d. You, who knew or should have known of your duties at or near Fort Leonard Wood MO, on or about 11 Feb 01, were derelict in the performance of those duties in that you willfully failed to refrain from smoking cigarettes, as it was your duty to do.

e. You, having knowledge of a lawful order issued by [REDACTED] and [REDACTED] to wit: an order which was your duty to obey, did, at or near Fort Leonard Wood, MO, on or about 5 Mar 01, fail to obey the same by failing to place the grader in park position. For this misconduct you received an LOR on 6 Mar 01.

f. You did, at or near Fort Leonard Wood MO, between on or about 15 Feb 01, and on or about 18 Feb 01, violate a lawful general instruction, to wit: SAFBI 36-2902, paragraph 5.2.5, dated

15 Oct 97, by failing to return to and remain in the assigned dormitory room 2100-0400. For this misconduct you received an AF For 174, Record of Individual Counseling, on 22 Feb 01.

g. You were, at or near Fort Leonard Wood MO, on or about 23 Jan 01, disrespectful to your instructor [REDACTED] and a noncommissioned officer [REDACTED]. For this misconduct you received an LOR on 23 Jan 01.

h. You did, at or near Fort Leonard Wood MO, on or about 21 Jan 01, fail to go to your appointed place of duty at the appointed time, to wit: mandatory study session. For this misconduct you received an LOR on 22 Jan 01.

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 and, if you are discharged, how your service will be characterized. 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.

3. You have the right to consult counsel. Military legal counsel Captain [REDACTED] Sheppard AFB, has been obtained to assist you. I have made an appointment for you to consult via telephone, 1-940-676-2186 at 1400 hours on 6 Apr 01. You may consult civilian counsel at your own expense.

4. You have the right to submit statements in your own behalf. Any statements you want the separation authority to consider must reach me by 1630 hours on 10 Apr 01 unless you request and receive an extension for good cause shown. I will send them to the separation authority.

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

6. You were scheduled for a medical examination at the Consolidated Troop Medical Clinic at 1300 hours on 5 Apr 01 for the examination.

7. 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 the orderly room.


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

[REDACTED]
[REDACTED] Maj, USAF
Commander

Attachments:

1. LOR, 16 Mar 01
2. AF Form 3070, 13 Mar 01
3. MFR, [REDACTED] 21 Feb 01
4. Statement, Amn [REDACTED] 14 Feb 01

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5. LOR, 6 Mar 01
6. Response to LOR, undated
7. AF Form 174, 22 Feb 01
8. LOR, 23 Jan 01
9. Response to LOR, undated
10. LOR, 22 Jan 01
11. AETC Form 125A, 15 Mar 01
12. AETC Form 156, 010129
13. LACKLAND AFB Form 205
14. Airman's Receipt to Notification Memorandum 

cc:

82 MSS/DPMAR
366 TRS/CSS (File)
Individual