

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)		GRADE	AFSN/SSAN		
[REDACTED]		A1C	[REDACTED]		
TYPE	PERSONAL APPEARANCE		X RECORD REVIEW		
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		INDEX NUMBER		EXHIBITS SUBMITTED TO THE BOARD	
A93.01		A67.90		1	ORDER APPOINTING THE BOARD
				2	APPLICATION FOR REVIEW OF DISCHARGE
				3	LETTER OF NOTIFICATION
HEARING DATE		CASE NUMBER		4	BRIEF OF PERSONNEL FILE
19 FEB 03		FD2002-0473			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 Washington, D.C.					
Advise applicant of the decision of the Board, the right to a personal appearance with/without counsel, and the right to submit an application to the AFBCMR.					
SIGNATURE OF RECORDER			SIGNATURE OF BOARD PRESIDENT		
[REDACTED]			[REDACTED]		
INDORSEMENT				DATE: 19 FEB 03	
TO:			FROM:		
SAF/MIBR 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742			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		

AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

CASE NUMBER

FD02-0473

GENERAL: The applicant appeals for upgrade of discharge to Honorable, change the reason and Authority, and to change the RE Code.

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 neither evidence of record nor that provided by the applicant substantiates an inequity or impropriety, which would justify a change of discharge.

The applicant's issues are listed in the attached brief.

ISSUE: The applicant does not contest the discharge; he just wants his discharge upgraded in order to join the Air National Guard. The record indicates the applicant received an Article 15 for dishonorably failing to pay a just debt. In addition, he received a Verbal Reprimand, three Letter's of Counseling, and a Letter of Reprimand for disobeying a direct order, being late for work, failure to perform maintenance on an aircraft, financial irresponsibility and failure to file a travel voucher and making a false official statement. The Board concluded the discharge was appropriate for the reasons that were the basis for this case. No inequity or impropriety in his discharge was suggested or found in the course of the records review. His misconduct was a significant departure from conduct expected of all military members. The Board concluded that the character and reason for discharge were appropriate due to his misconduct.

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 or change the reason for 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 A1C) (HGH SRA)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 6 Sep 96 UP AFI 36-3208, para 5.50.2 (Misconduct - Conduct Prejudicial to Good Order and Discipline). Appeals for Honorable Discharge, and Change the Reentry Code, Reason and Authority.

2. **BACKGROUND:**

a. DOB: 3 Jul 72. Enlmt Age: 17 10/12. Disch Age: 24 2/12. Educ: HS DIPL. AFQT: N/A. A-30, E-53, G-32, M-89. PAFSC: 2A651B - Aerospace Propulsion Journeyman. DAS: 10 Aug 93.

b. Prior Sv: (1) AFRes 30 May 90 - 5 Feb 91 (8 Mos 7 Days) (Inactive).

(2) Enld as AB 6 Feb 91 for 4 yrs. Svd: 3 Yrs 2 Mos 15 Das, all AMS. AMN: Unknown. A1C - 6 Jun 92. SRA - 6 Feb 94. EPRs: 4,4.

3. **SERVICE UNDER REVIEW:**

a. Reenld as SRA 22 Apr 94 for 4 yrs. Svd: 2 Yrs 4 Mos 15 Das, all AMS.

b. Grade Status: A1C - 9 Aug 96 (Article 15, 9 Aug 96)

c. Time Lost: None.

d. Art 15's: (1) 9 Aug 96, Little Rock AFB, AR - Article 134. You, being indebted to ----- in the sum of \$1350.00 for a 1979 Chevrolet pick-up truck, which amount became due and payable on or about 15 Jun 96, did, from 15 Jun 96, to 25 Jul 96, dishonorably fail to pay said debt. Reduction to A1C. (Appeal denied) (No mitigation)

e. Additional: LOR, 24 MAY 96 - Failure to file a travel voucher and making a false official statement.
LOC, 24 MAY 96 - Financial irresponsibility.
RIC, 08 APR 96 - Failure to perform maintenance on an aircraft.
VERBAL REPRIMAND, 25 APR 96 - Disobeyed a direct order.
RIC, 07 SEP 95 - Late for work.

f. CM: None.

g. Record of SV: 12 Jun 93 - 11 Jun 94 Little Rock AFB 4 (Annual)
12 Jun 94 - 11 Jun 95 Little Rock AFB 5 (Annual)
12 Jun 95 - 11 Jun 96 Little Rock AFB 3 (Annual)

(Discharged from Little Rock AFB)

h. Awards & Decs: AFAM W/1DEV, AFLSA, AFTR, NDSM, AFOUA, AFGCM.

i. Stmt of Sv: TMS: (6) Yrs (3) Mos (8) Das
TAMS: (5) Yrs (7) Mos (1) Das

4. BASIS ADVANCED FOR REVIEW: Appln (DD Fm 293) dtd 28 Oct 02.

(Upgrade Discharge to Honorable, and Change Reentry Code, Reason and Authority)

Issue: I ----- am writing this in hopes that you (The Board) will upgrade my discharge to Honorable. I have since leaving the Air Force straightened my financial situation out. I have kept a clean record. The reason I am writing this is because I have talked to MSgt ----- in the 189th Airlift Recruiting office about joining the Arkansas Air National Guard. I have all the qualifications and requirements met to be full time Air National Guard. MSgt ----- told me tht I needed an Honorable discharge to join the Air National Guard. He reviewed my records and training records from being active duty Air Force. He was very pleased with them. MSgt ----- and TSgt ----- along with my self (sic) think I would be a great asset to the 189th Airlift Wing. I am wanting to serve in the United States military, with the Arkansas Air National Guard, engine and prop mechanic. I have approximately six years experience on the flight line and some back shop training. I am hoping you (The Board) will review this and upgrade my discharge to Honorable so I can join the Arkansas Air National Guard. Thank you.

ATCH

None.

5Feb03/cr



DEPARTMENT OF THE AIR FORCE

HEADQUARTERS 314TH AIRLIFT WING (ACC)
LITTLE ROCK AIR FORCE BASE, ARKANSAS

FD2003-0473

28 AUG 1996

jmc

MEMORANDUM FOR [REDACTED]
50TH AIRLIFT SQUADRON

FROM: 50 AS/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for A Pattern of Misconduct, Conduct Prejudicial to Good Order and Discipline. The authority for this action is AFD 36-32 and AFI 36-3208, paragraph 5.50.2. If my recommendation is approved, your service will be characterized as honorable or general under honorable conditions. I am recommending that your service be characterized as general under honorable conditions.

2. My reasons for this action are:

a. On or about 15 June 1996 and on or about 25 July 1996, being indebted to another military member in the sum of \$1350.00 you dishonorably failed to make payment. You received an Article 15 for your actions. (Atch 1-1)

b. On or about 24 May 1996, it was discovered that on or about 12 September 1995 you took a \$4,200.00 travel advance for a 90 day TDY to Ramstein AB. You never went on this TDY and consequently did not file a travel voucher. You made a false official statement to the First Sergeant regarding filing the voucher. You received a Letter of Reprimand for making a false official statement and not filing the voucher, which was placed in your Unfavorable Information File (UIF). (Atch 1-2)

d. On or about 22 May 1996, you were 3 months behind in your rent, a total indebtedness of approximately \$1050.00. You received a Letter of Counseling for your actions, which was placed in your UIF. (Atch 1-3)

e. On or about 8 April 1996, you failed to perform required maintenance on aircraft 93-1040, causing this aircraft to miss its required takeoff time. You received a Letter of Counseling for your actions. (Atch 1-4)

f. On or about 14 March 1996, while TDY to Sembach Air Base, Germany, you disobeyed a direct order (Article 92, UCMJ) by returning to the Sembach Enlisted Club after you were ordered not to. You received a Verbal Reprimand for your actions. (Atch 1-5)

g. On or about 7 September 1995, you were derelict in the performance of your duties. You were directed to report to work at 1100 and you reported more than 2 hours late. You received a Letter of Counseling for your actions. (Atch 1-6)

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 and if discharged, how your service will be characterized. If you are discharged, you will be ineligible for reenlistment 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 [REDACTED] Area Defense Counsel, Bldg 1255, Rm 201, Telephone 3260 on 30 August 1996 at 0800 hours. 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 workdays 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 Little Rock AFB Hospital at 0730 hours on [REDACTED] 1996 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 the Orderly Room.

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

[REDACTED]

Attachments:

1-1 Art 15, 23 Aug 96

1-2 LOR, 24 May 96

1-3 LOC, 24 May 96

1-4 LOC, 8 Apr 96

1-5 Verbal Reprimand, 25 Apr 96

1-6 LOC, 7 Sep 95