










## AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) 		GRADE <b>A1C</b>	AFSN/SSAN 				
TYPE	<b>PERSONAL APPEARANCE</b>		<b>X RECORD REVIEW</b>				
COUNSEL		NAME OF COUNSEL AND OR ORGANIZATION		ADDRESS AND OR ORGANIZATION OF COUNSEL			
YES	NO						
	<b>X</b>						
<b>MEMBERS SITTING</b>			<b>VOTE OF THE BOARD</b>				
			HON	GEN	UOTHIC	OTHER	DENY
							<b>X</b>
							<b>X</b>
							<b>X</b>
							<b>X</b>
							<b>X</b>
ISSUES <b>A93.09</b>		INDEX NUMBER <b>A67.50</b>		<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		
HEARING DATE <b>20 JUN 03</b>		CASE NUMBER <b>FD2003-0022</b>		<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 <b>Case heard at Washington, D.C.</b>  <b>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.</b>							
SIGNATURE OF RECORDER 			SIGNATURE OF BOARD PRESIDENT 				
INDORSEMENT					DATE: <b>20 JUN 03</b>		
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 <sup>RD</sup> FLOOR ANDREWS AFB, MD 20762-7002				

**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

FD03-0022

**GENERAL:** The applicant appeals for upgrade of discharge to Honorable, change the Reason and Authority for discharge 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.

**ISSUE:** Applicant states his discharge was too harsh because he was going through some personal problems. The record indicates the applicant received an Article 15 for failure to go and making a false official statement. He also received a Vacation action under the UCMJ for failure to go. In addition, he received five Letters of Reprimand for failure to go (twice), being late for duty, financial irresponsibility (twice), and failure to meet a scheduled appointment. The Board recognized the applicant served almost seven years and had no problems until his last year of service. If the applicant can provide additional documented information to substantiate an issue, the applicant should consider exercising his right to make a personal appearance before the Board. If he should choose to exercise this right to a personal appearance hearing, the applicant should be prepared to provide the DRB with factual evidence of the inequity and any exemplary post-service accomplishments as well as any contributions to the community. 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. The Board found no evidence of any inequity or impropriety on which to base a decision to upgrade the 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

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

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 10 Oct 00 UP AFI 36-3208, para 5.50.1 (Misconduct - Discreditable Involvement with Military or Civil Authorities). Appeals for Honorable Discharge, Change the RE Code, Reason and Authority.

2. **BACKGROUND:**

a. DOB: 15 Feb 75. Enlmt Age: 18 3/12. Disch Age: 25 7/12. Educ: HS DIPL. AFQT: N/A. A-85, E-58, G-52, M-51. PAFSC: 2A654 - Aircraft Fuel Systems Journeyman. DAS: 9 Jul 98.

b. Prior Sv: (1) AFRes 28 May 93 - 11 Nov 93 (5 months 14 days) (Inactive).  
(2) Enlisted as A1C 12 Nov 93 for 4 yrs. Svd: 3 yrs 4 months 18 days, all AMS. SRA - 12 MAR 96. EPRs: 3,4.

3. **SERVICE UNDER REVIEW:**

a. Reenlisted as SRA 31 Mar 97 for 6 yrs. Extended 9 May 97 for 3 months. Svd: 3 Yrs 6 MoS 10 Das, all AMS.

b. Grade Status: A1C - 19 May 00 (Article 15, Vacation, 3 Aug 00)

c. Time Lost: None.

d. Art 15's: (1) 3 Aug 00, Dyess AFB, TX - Article 86. You, did, on or about 24 Aug 00, without authority, fail to go at the time prescribed to your appointed place of duty. Reduction to A1C. (No appeal) (No mitigation)

(2) 19 May 00, Dyess AFB, TX - Article 86. You, on or about 21 Apr 00, without authority, fail to go at the time prescribed to your appointed place of duty. Article 107. You, did, on or about 24 Apr 00, with intent to deceive, make to MSgt ----- an official statement, to wit: your reason for failing to go to your weighted airman promotion testing was the fact your electricity went out in your apartment complex, was totally false, and was then known by you to be so false. Suspended reduction to A1C, 30 days extra duty, and a reprimand. (No appeal) (No mitigation)

e. Additional: LOR, 29 AUG 00 - Failure to go.  
LOR, 29 AUG 00 - Late for duty.  
LOR, 15 AUG 00 - Financial irresponsibility.

To the Review Board

I am making this statement to apologize to the United States Government and to the U.S. Air Force.

Nearly two years ago I received and "Under Honorable Conditions" discharge from the U.S Air Force. I regret it ever happened. While stationed in Abilene, Texas in 1999 until 2000, my wife and I were having personal problems. Things got progressively worse and she left Texas and moved back to North Carolina. Instead of going to my commander, chaplain or first sergeant, I took matters into my own hands to get discharged so I could return to North Carolina where my family was without thinking things through. I've never been a person to express my problems openly and it caused me to fall apart emotionally. We have come to a compromise in our relationship at this point.

I am asking the review board to grant an upgrade of my discharge to "Honorable"

I enjoyed serving my country and being part of the best Air Force in the world, and loved being an aircraft mechanic. The thrill of working on aircraft and knowing that I had a hand in protecting this great nation is unbelievable. My career was prematurely interrupted and my hopes are to receive an upgrade to full honorable and be allowed to serve my country again through the Air Force Reserve system during this time of peril and war.

I can only pray that you will search your hearts and approve my request for an upgrade. I would like to fulfill my dream of completing a distinguished and honorable air force career.

Thank you for taking time out of your hectic schedule to review my records.

Sincerely yours





**DEPARTMENT OF THE AIR FORCE**

317<sup>th</sup> MAINTENANCE SQUADRON (AMC)  
DYESS AIR FORCE BASE TEXAS 79607-1720

FD 2003-00022

AUG 31 2000

MEMORANDUM FOR AIC [REDACTED]

FROM: 317 MXS/CC

SUBJECT: Notification Letter - Board Hearing

1. I am recommending your discharge from the United States Air Force for Discreditable Involvement With Military or Civil Authorities, according to AFI 36-3208, dated 14 Oct 94, under the provisions of paragraph 5.50.1. 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 28 Aug 00, without authority, report late for duty, for which you were reprimanded, as evidenced by LOR, dated 29 Aug 00.

b. You did, on 24 Aug 00, without authority, fail to go at the time prescribed to your appointed place of duty, to wit: Dental Clinic, for which your suspended reduction in rank was vacated, as evidenced by AF Form 366, dated 3 Aug 00.

c. You did, on 4 Aug 00, without authority, fail to go at the time prescribed, to your scheduled appointment, to wit: Life Skills Center, for which you were reprimanded, as evidenced by LOR, dated 7 Aug 00.

d. You did, on 24 Jul 00, write a check for \$145.00, and thereafter failed to maintain funds in your bank account to cover said check on presentment for payment, for which you were reprimanded, as evidenced by LOR, dated 15 Aug 00.

e. You did, on or about from 25 Feb 00 to on or about 9 May 00, without authority, fail to go at the time prescribed, to your appointments scheduled by the Medical Group, for which you were reprimanded, as evidenced by LOR, dated 29 Aug 00.

f. You did, on or about 24 Apr 00, with intent to deceive, make to MSgt [REDACTED] a False Official Statement, for which you received Article 15 punishment, as evidenced by AF Form 3070, dated 19 May 00, and you were entered in an Unfavorable Information File (UIF), as evidenced by AF Form 1137 dated 19 May 00.

g. You did, on or about 21 April 00, without authority, fail to go at the time prescribed to your appointed place of duty, to wit: Weighted Airman Promotion Testing, for which you received Article 15 punishment, as evidenced by AF Form 3070, dated 19 May 00, and you were entered in an Unfavorable Information File (UIF), as evidenced by AF Form 1137 dated 19 May 00.

h. You did, on or about 9 Jun 99, write a check for \$25.95, and thereafter failed to maintain funds in your bank account to cover said check on presentment for payment, for which you were reprimanded, as evidenced by LOR, dated 24 Jun 99.

**AMC-Global Reach For America**

1. You did, on or about 4 May 99, without authority, fail to go at the time prescribed, to your scheduled appointment to wit: Weighted Airman Promotion testing, for which you received a no show letter, dated 5 May 99.
3. This action could result in your separation with an Under Other Than Honorable Conditions discharge. I am recommending that you receive an Under Other Than 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.
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. You have been scheduled for a medical examination. You must report to the 7th Medical Group Hospital, Physical Exams Section, on 1 Sep 00 at 0800 hours.
6. Military legal counsel, Capt [redacted] duty phone [redacted] has been obtained to assist you. An appointment has been scheduled for you to consult her on 31 Aug 00 at 1615 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.
7. 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.
8. Any personal information you furnish in rebuttal is covered by the Privacy Act Statements as explained in AFPD 36-32 and AFI 36-3208, attachment 2. A copy of AFPD 36-32 and AFI 36-3208 is available for your use in the Orderly Room.

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

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

  
MAJOR, USAF

Attachments

1. Airman's Receipt of Notification Memorandum
2. LOR, dated 29 Aug 00
3. AF Form 366, dated 3 Aug 00
4. LOR, dated 7 Aug 00
5. LOR, dated 15 Aug 00
6. LOR, dated 29 Aug 00
7. AF Form 3070, dated 19 May 00  
w/AF Form 1137 (UIF)
8. LOR, dated 24 Jun 99
9. No show letter, dated 5 May 99