

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) [REDACTED]		GRADE	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 A92.21	INDEX NUMBER A67.10	EXHIBITS SUBMITTED TO THE BOARD	
		1	ORDER APPOINTING THE BOARD
HEARING DATE 15 Jul 03	CASE NUMBER FD-2003-00115	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 RATIONALE ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

REMARKS

Advise applicant of the decision of the Board and the right to submit an application to the AFBCMR.

SIGNATURE OF RECORDER [REDACTED]	SIGNATURE OF BOARD PRESIDENT [REDACTED]
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ENDORSEMENT	DATE: 8 AUG 03
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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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GENERAL: The applicant appeals for upgrade of discharge to honorable.

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 the general discharge is denied.

Issue 1. The applicant was discharged with a General Discharge for a pattern of Minor Disciplinary Infractions. Member received an Article 15 for possessing and drinking alcohol underage. He also received five Letters of Reprimand for violation of a squadron policy, financial irresponsibility, failing an open ranks inspection, and failure to show up for two mandatory formations.

The DRB was pleased to see that the applicant was doing well and is active in the community and strives to be a good citizen. However, no inequity or impropriety in General discharge was suggested or found in the course of the hearing. The Board concluded the misconduct of the applicant appropriately characterized his term of service.

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 19 Oct 01 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Disch.

2. **BACKGROUND:**

a. DOB: 24 Jul 81. Enlmt Age: 19 0/12. Disch Age: 20 2/12. Educ: HS DIPL. AFQT: N/A. A-83, E-78, G-72, M-77. PAFSC: 2S011 - Supply Management Helper. DAS: 16 Jul 01.

b. Prior Sv: (1) AFRes 7 Aug 00 - 29 Jan 01 (5 Months 23 Days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enld as AB 30 Jan 01 for 6 yrs. Svd: 0 Yrs 8 Mos 20 Das, all AMS.

b. Grade Status: A1C - 16 Mar 01

c. Time Lost: None.

d. Art 15's: (1) 24 Sep 01, Lackland AFB, TX - Article 92. You, who knew of your duties, on or about 17 Aug 01, were derelict in the performance of those duties in that you willfully failed to refrain from drinking alcohol while under the legal drinking age of 21, as it was your duty to do. You, having knowledge of a lawful order issued by AETC 36-2216, to wit: paragraph 7.2, an order which it was your duty to obey, did, fail to obey the same by wrongfully possessing alcohol. Suspended reduction to AMN, forfeiture of \$272.00, 14 days extra duty, and a reprimand. (No appeal) (No mitigation)

e. Additional: LOR, 01 SEP 01 - Failure to show for a mandatory formation.
LOR, 18 AUG 01 - Failure to show for a mandatory formation.
LOR, 04 AUG 01 - Failed open ranks inspection and room inspection.
LOR, 03 AUG 01 - Financial irresponsibility and failure to obey a lawful order.
LOR, 01 AUG 01 - Violation of squadron policy on tobacco products.

f. CM: None.

g. Record of SV: None.

(Discharged from Lackland AFB)

h. Awards & Decs: AFTR.

i. Stmt of Sv: TMS: (1) Yrs (2) Mos (13) Das
TAMS: (0) Yrs (8) Mos (20) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 10 Mar 03.
(Change Discharge to Honorable)

Issues: Since I have arrived home, I have been a good citizen. I have volunteered in the community by being a coach for a youth football team.

ATCH
None.

18Apr03/cr



DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND

10 Oct 01

MEMORANDUM FOR AIC [REDACTED]

FROM: 345 TRS/CC

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 an **Under Honorable Conditions (General) Discharge**.

2. My reasons for this action are:

a. On or about 01 Aug 01, you were found to be in violation of the 345th Training Squadron policy when MTL's did wall locker inspections and found tobacco products on your night stand. As a result, you received a Letter of Reprimand dated 01 Aug 01.

b. On or about 03 Aug 01, you failed to pay debts of \$204.00 to the Texas Department of Public Safety and you failed to obey a direct order given to you by a Senior NCO. As a result, you received a Letter of Reprimand dated 03 Aug 01.

c. On or about 04 Aug 01, you failed the open ranks inspection portion of Remedial Military Training and you also failed your room inspection portion of RMT. As a result, you received a Letter of Reprimand dated 04 Aug 01.

d. On or about 18 Aug 01, you were a no show for Remedial Military Training. As a result, you received a Letter of Reprimand dated 18 Aug 01.


e. On or about 01 Sep 01, you were a no show for Remedial Military Training. As a result, you received a Letter of Reprimand dated 01 Sep 01.

f. On or about 05 Sep 01, you received an AETC Form 125A dated 05 Sep 01 along with a recommendation for discharge.

g. On or about 24 Sep 01, you violated Article 92 of the UCMJ. As a result, you received an Article 15 dated 24 Sep 01 along with the reduction to the grade of E-2, with a new date of rank of 24 Sep 01, Forfeiture of \$272.00, and fourteen extra duty days.

NO SUSPENDED

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 a higher authority will decide whether you will be discharged or retained in the Air Force. 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 can be obtained to assist you. I can make an appointment for you to consult the Area Defense Counsel (ADC) at Bldg 1000 on _____ at _____ 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 (allow 3 workdays) 15 Oct 01 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 Reid Clinic, Bldg 6612, 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 Unit Orderly Room.
9. Execute the attached acknowledgment and return it to me immediately.


Captain, USAF
Commander, Military Training Flight

Attachment:

1. Letter of Reprimand dated 01 Aug 01.
2. Letter of Reprimand dated 03 Aug 01.
3. Letter of Reprimand dated 04 Aug 01.
4. Letter of Reprimand dated 18 Aug 01.
5. Letter of Reprimand dated 01 Sep 01.
6. AETC Form 125A dated 05 Sep 01.
7. Article 15 dated 24 Sep 01.