






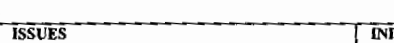




AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) 		GRADE AMN	AFSN/SSAN 				
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
							X
							X
							X
							X
							X
							X
ISSUES A01.00, A95.00		INDEX NUMBER A67.10		EXHIBITS SUBMITTED TO THE BOARD			
				1	ORDER APPOINTING THE BOARD		
				2	APPLICATION FOR REVIEW OF DISCHARGE		
				3	LETTER OF NOTIFICATION		
HEARING DATE 16 JUL 03		CASE NUMBER FD2003-00119		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, 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  R. V.				
INDORSEMENT			DATE: 16 JUL 03				
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				

AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

CASE NUMBER

FD2003-00119

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

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 the 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 Board finds that the applicant submitted no issues contesting the equity or propriety of the discharge, and after a thorough review of the record, the board was able to identify none. The records indicated the applicant received two Article 15s, four Letters of Reprimand, one Letter of Counseling, and one Letter of Admonishment for misconduct. The misconduct included being absent without authority, failure to go, financial irresponsibility, later for work on four separate occasions, and disrespect for superiors and chain of command. 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.

In view of the foregoing findings the board further concludes that there exists no legal or equitable basis for upgrade, 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 AMN) (HGH A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 12 Feb 03 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Disch.

2. **BACKGROUND:**

a. DOB: 17 May 82. Enlmt Age: 18 6/12. Disch Age: 20 8/12. Educ: HS DIPL. AFQT: N/A. A-67, E-67, G-74, M-76. PAFSC: 2A634 - Aircraft Fuel Systems Apprentice. DAS: 10 Apr 01.

b. Prior Sv: (1) AFRes 21 Nov 00 - 4 Dec 00 (14 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 5 Dec 00 for 6 yrs. Svd: 2 Yrs 2 Mo 8 Das, all AMS.

b. Grade Status: AMN - 14 Nov 02 (Vacation of Article 15, 24 Jan 03)
A1C - 19 Jan 01

c. Time Lost: None.

d. Art 15's: (1) 24 Jan 03, Vacation, Langley AFB, VA - Article 86. You, did, on or about 27 Dec 02, without authority, absent yourself from your unit, and remain so absent until on or about 1 Jan 03. You, did, on or about 30 Dec 02, without authority, fail to go at the time prescribed to your appointed place of duty. Reduction to Airman (E-2). (No appeal) (No mitigation)

(2) 14 Nov 02, Langley AFB, VA - Article 86. You, did, on or about 8 Oct 02, without authority, fail to go at the time prescribed to your appointed place of duty. Suspended reduction to Airman (E-2), and 20 days extra duty. (No appeal) (No mitigation)

e. Additional: LOR, 14 AUG 02 - Financial irresponsibility.
LOR, 14 AUG 02 - Late for work.
LOR, 13 AUG 02 - Late for work.
LOA, 10 JUL 02 - Late for work.
LOC, 09 JUL 02 - Late for work.
LOR, 12 DEC 01 - Disrespect for superiors and chain of command.

f. CM: None.

g. Record of SV: 5 Dec 00 - 15 Jul 02 Langley AFB 4 (HAF Dir)

(Discharged from Langley AFB)

h. Awards & Decs: AFTR, NDSM, SAEMR, BMTHGR.

i. Stmt of Sv: TMS: (2) Yrs (2) Mos (23) Das
TAMS: (2) Yrs (2) Mos (8) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 27 Feb 03.
(Change Discharge to Honorable)

NO ISSUES SUBMITTED.

ATCH

None.

25APR03/ia

PD 2003-00117



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS 1ST FIGHTER WING
LANGLEY AIR FORCE BASE VA

MEMORANDUM FOR AMN [REDACTED], 1 CMS

31 Jan 03

FROM: 1 CMS/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, Chapter 5, Section H, 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. On or about 11 Dec 01, you called SrA [REDACTED] "bitch" after a conversation about turnover procedures that she tried to explain. For this incident, you received a Letter of Reprimand (LOR), dated 12 Dec 01.

b. On or about 9 Jul 02, you failed to show up to work on time, reporting 45 minutes late. For this incident, you received a Letter of Counseling (LOC), dated 9 Jul 02.

c. On or about 10 Jul 02, you failed to show up to work on time, reporting 40 minutes late. For this incident, you received a Letter of Admonishment (LOA), dated 10 Jul 02.

d. On or about 13 Jul 02, you failed to show up to work on time, reporting one hour late. For this incident, you received a Letter of Reprimand (LOR) and established a Unfavorable Information File (UIF), dated 13 Aug 02.

e. On or about 14 Jul 02, you failed to show up to work on time, reporting one hour late. For this incident, you received an LOR/UIF, dated 14 Aug 02.

f. On or about 26 Jul 02, you failed to pay your STAR card account. For this incident, you received an LOR/UIF, dated 14 Aug 02.

g. On or about 8 Oct 02, at or near Langley AFB, Virginia, without authority, you failed to go at the time prescribed to your appointed place of duty, 78 West Flightline Road, LAFB, Virginia. For this incident, you received an Article 15 with a punishment of suspended reduction to the grade of Airman and 20 days extra duty, dated 14 Nov 02. In addition, this Article 15 was filed in your UIF.

h. On or about 27 Dec 02, without authority, you absented yourself from your unit, 1CMS, located at 78 West Flightline Road, Langley AFB, Virginia, and did remain so absent until on or about 1 Jan 03. On or about 30 Dec 02, at or near Langley AFB, Virginia, without authority, you failed to go at the time prescribed to your appointed place of duty, an appointment with the commander. For these incidents, your suspended Article 15 punishment of reduction to the grade of Airman was vacated on 24 Jan 03.

3. Copies of the documents to support this recommendation are attached and will be forwarded to the separation authority. The separation authority will make the findings and recommendations required under 10 U.S.C. 2005(g) regarding recoupment of education assistance funds, if applicable. The commander exercising special court-martial jurisdiction or a 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 any special pay, bonus, or education assistance funds may be subject to recoupment.

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 the Area Defense Counsel, 54 Willow Street, Bldg. 147, (757)764-5607 at 1645 hours on 31 Jan 2003. 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 1630 hours on 5 Feb 2003 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 the 1st Medical Group, Physical Exam Section at 1120 hours on 5 Feb 2003 and an additional examination will be scheduled if necessary.

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.



Col, USAF
Commander, 1st Component Maintenance

Squadron

Attachments:

1. Supporting Documents
 - a. LOR, dated 12 Dec 01
 - b. LOC, dated 9 Jul 02
 - c. LOA, dated 10 Jul 02
 - d. LOR/UIF, dated 13 Aug 02
 - e. LOR/UIF, dated 14 Aug 02
 - f. LOR/UIF, dated 14 Aug 02
 - g. Article 15 & Vacation Action, dated 14 Nov 02 & 24 Jan 03
2. Receipt of Notification Memorandum