

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

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| NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) [REDACTED] | GRADE A1C | AFSN/SSAN [REDACTED] |
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|-----------------|----------------------------|------------------------|
| TYPE GEN | PERSONAL APPEARANCE | X RECORD REVIEW |
|-----------------|----------------------------|------------------------|

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|---|--|---|--|---|--|--|
| COUNSEL | NAME OF COUNSEL AND OR ORGANIZATION | ADDRESS AND OR ORGANIZATION OF COUNSEL | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">YES</td> <td style="width: 50%;">NO</td> </tr> <tr> <td></td> <td style="text-align: center;">X</td> </tr> </table> | YES | NO | | X | | |
| YES | NO | | | | | |
| | X | | | | | |

| MEMBERS SITTING | VOTE OF THE BOARD | | | | |
|-----------------|-------------------|-----|-------|-------|------|
| | HON | GEN | UOTHC | OTHER | DENY |
| [REDACTED] | | | | | X |
| [REDACTED] | | | | | X |
| [REDACTED] | | | | | X |
| [REDACTED] | | | | | X |
| [REDACTED] | | | | | X |

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| ISSUES A94.53 | INDEX NUMBER A67.90 | EXHIBITS SUBMITTED TO THE BOARD | | |
| | | 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, and the right to submit an application to the AFBCMR.

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| SIGNATURE OF RECORD [REDACTED] | SIGNATURE OF BOARD PRESIDENT [REDACTED] |
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|--------------------|-------------------------|
| INDORSEMENT | DATE: 25 JULY 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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AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

CASE NUMBER

FD2003-00153

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 discharge is denied.

The Board finds the applicant submitted no issues contesting the equity or propriety of the discharge, and after a thorough review of the record, the Board was unable to identify any.

Issues. Applicant was discharged for conduct prejudicial to good order and discipline. He had an Article 15, two Letters of Reprimand, and an Unfavorable Information File. His misconduct included failing to pay just debts, misuse of his government travel card, and failure to pay the balance of the resultant debt. At the time of the discharge, member consulted counsel and waived his right to submit statements in his own behalf. The Board noted member was given several opportunities to correct his behavior but was either unwilling or unable to do so. Member was age 25 and 26 when his misconduct occurred, the same age as other airmen who honorably complete their service without misconduct. There was no evidence he was immature, or didn't know right from wrong. The Board determined member was responsible for his actions and was held accountable for them because his misconduct was disruptive to the unit. The Board did not find sufficient mitigation to warrant an upgrade, and no inequity or impropriety was found in this discharge in the course of the records review.

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

(Former A1C) (HGH SRA)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 17 Oct 96 UP AFI 36-3208, para 5.50.2 (Misconduct - Conduct Prejudicial to Good Order and Discipline). Appeals for Honorable Disch.

2. **BACKGROUND:**

a. DOB: 27 Aug 70. Enlmt Age: 22 11/12. Disch Age: 26 1/12. Educ: HS DIPL. AFQT: N/A. A-68, E-49, G-53, M-65. PAFSC: 2A634 - Aircraft Fuels Systems Apprentice. DAS: 25 Mar 96.

b. Prior Sv: (1) AFRes 13 Aug 93 - 16 Nov 93 (3 Months 4 Days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enld as A1C 17 Nov 93 for 4 yrs. Svd: 2 Yrs 11 Mos 1 Das, all AMS.

b. Grade Status: A1C - 18 Sep 96 (Article 15, 18 Sep 96)
SRA - Unknown

c. Time Lost: None.

d. Art 15's: (1) 18 Sep 96, Seymour Johnson AFB, NC - Article 134. You, being indebted to American Express in the amount of \$2,886.71 for goods, service and/or lawful currency received, which amount became due and payable between on or about 1 Jun 96, and on or about 1 Sep 96, did, from on or about 15 Jul 96 to on or about 4 Sep 96, dishonorably fail to pay said debt. Reduction to A1C. (Appeal/Denied) (No mitigation).

e. Additional: LOR, 19 JUN 96 - Misuse of American Express government card.
LOR, 12 FEB 96 - Financial irresponsibility.

f. CM: None.

g. Record of SV: 17 Nov 93 - 16 Jul 95 RAF Mildenhall 5 (Initial)
17 Jul 95 - 04 Feb 96 RAF Mildenhall 5 (CRO)

(Discharged from Seymour Johnson AFB)

h. Awards & Decs: AFTR, NDSM, AFOUA W/2 DEV.

i. Stmt of Sv: TMS: (3) Yrs (2) Mos (5) Das
TAMS: (2) Yrs (11) Mos (1) Das

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4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 30 Mar 03.
(Change Discharge to Honorable)

NO ISSUES SUBMITTED.

ATCH
None.

13 Jun 03/cr



DEPARTMENT OF THE AIR FORCE

4TH FIGHTER WING (ACC)
SEYMOUR JOHNSON AIR FORCE BASE NC

FD2003-00153

MEMORANDUM FOR AIC [REDACTED] 4 CRS

3 Oct 96

FROM: 4 CRS/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for a pattern of misconduct, specifically, conduct prejudicial to good order and discipline. The authority for my recommendation is AFPD 36-32 and AFI 36-3208, Chapter 5, section H, paragraph 5.50.2. If my recommendation is approved, your service will be characterized as honorable or general. I am recommending your service be characterized as general.

2. My reasons for this action are:

a. Between on or about 1 Aug 95 and on or about 6 Feb 96, while stationed at RAF Mildenhall, England, you were delinquent in your rent payments in the total amount of \$769.50 pounds, as evidenced by a letter of reprimand, and an unfavorable information file action, both dated 12 Feb 96, with supporting documents (atch 1a).

b. On or about 30 Mar 96, you misused your Government American Express card, as evidenced by a letter of reprimand dated 19 Jun 96 (atch 1b).

c. Between on or about 1 Jun 96 and on or about 1 Sep 96, you were delinquent in your payments to your Government American Express account in the total amount of \$2,886.71, as evidenced by an Article 15 dated 24 Sep 96, with supporting documents (atch 1c).

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 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.

4. You have the right to counsel. Military legal counsel has been obtained to assist you. I have made an appointment for you to consult the Area Defense Counsel, duty phone 5336, on 4 Oct 96 at 0900, in bldg 3601. 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 8 Oct 96 (3 workdays) unless you

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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 submit statements in your behalf, your failure will constitute a waiver of your right to do so.

7. You were previously scheduled for a mandatory medical examination, at the Physical Examination Section, 4th Medical Group, Seymour Johnson AFB, at 0745 hours on 7 Oct 96, and at 1300 hours on 7 Oct 96 at Family Practice.

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 your Orderly Room.

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


_____, Maj, USAF
Commander, 4 CRS

Attachments:

1. Supporting documents:
 - a. LOR/UIF, 12 Feb 96
w/supporting documents
 - b. LOR, 19 Jun 96
 - c. Article 15/UIF, 24 Sep 96
2. Receipt of Notification Memorandum