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AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE

FD-2003-00230

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.

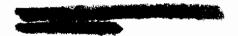
ISSUE: The applicant submitted no issues and requested that the review be completed based on the available service record. The Board reviewed the entire record and found no evidence of impropriety or inequity in this case on which to base an upgrade of discharge. The records indicated applicant received an Article 15 for failure to go and for being derelict in the performance of his duties in that he willfully possessed alcohol while under the age of 21. Additionally, he received a Letter of Reprimand and five Letters of Counseling for being late for duty and for financial irresponsibility. If he 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 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 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 AMN) (HGH A1C)

1. MATTER UNDER REVIEW: Appl rec'd a GEN Disch fr USAF 8 Apr 98 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Disch.

2. BACKGROUND:

a. DOB: 29 Apr 77. Enlmt Age: 17 7/12. Disch Age: 20 11/12. Educ: HS DIPL. AFQT: N/A. A-50, E-50, G-48, M-52. PAFSC: 2A754 - Survival Equipment Journeyman. DAS: 5 Jan 96.

b. Prior Sv: (1) AFRes 5 Dec 94 - 14 Jun 95 (6 Months 10 Days) (Inactive).

3. SERVICE UNDER REVIEW:

- a. Enld as AB 15 Jun 95 for 4 yrs. Svd: 2 Yrs 9 Mos 25 Das, all AMS.
- c. Time Lost: None.
- d. Art 15's: (1) 18 Mar 98, Langley AFB, VA Article 86.You, did, on or about 5 Mar 98, without authority fail to go at the time prescribed to your appointed place of duty. Article 92. You, who knew of your duties, on or about 5 Mar 98, were dereliect in the performance of those duties in that you willfully possessed alcohol while under the age of 21, as it was your duty not to do. Reduction to AMN. (No appeal) (No mitigation)
- e. Additional: LOR, 28 JAN 98 Late for duty.

 LOC, 20 JAN 98 Late for duty.

 LOC, 11 DEC 97 Failure to obey an order.

 LOC, 26 NOV 97 Late for duty.

 LOC, 11 SEP 97 Late forduty.

 LOC, 31 JUL 96 Financial irresponsibility.
- f: CM: None.
- g. Record of SV: 15 Jun 95 14 Feb 97 Langley AFB 5 (Initial) 15 Jan 97 - 14 Jan 98 Langley AFB 4 (Annual)

(Discharged from Langley AFB)

- h. Awards & Decs: AFTR, NDSM, AFOUA.
- i. Stmt of Sv: TMS: (3) Yrs (4) Mos (4) Das TAMS: (2) Yrs (9) Mos (25) Das
- 4. BASIS ADVANCED FOR REVIEW: Appln (DD Fm 293) dtd 5 May 03. (Change Discharge to Honorable)

NO ISSUES SUBMITTED

ATCH

None.

126Jun03/cr



DEPARTMENT OF THE AIR FORCE

HEADQUARTERS 1ST FIGHTER WING LANGLEY AIR FORCE BASE VA

MEMORANDUM FOR AMN

MAR 2 6 1998

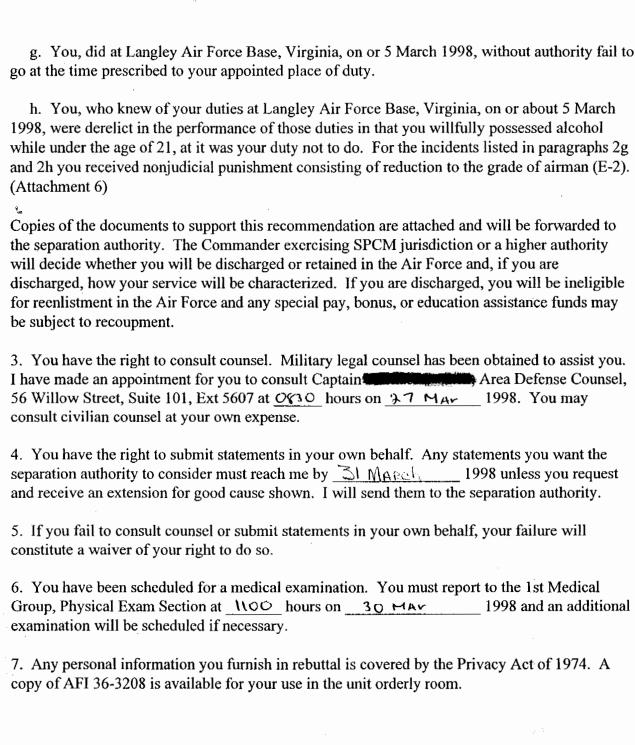
FROM: 1 EMS/CC

SUBJECT: Notification Memorandum

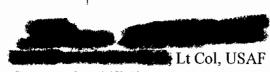
1. I am recommending your discharge from the United States Air Force for minor disciplinary infractions. The authority for this action is AFPD 36-32 and AFI 36-3208, Chapter 5, Section H, Paragraph 5.49. If my recommendation is approved, your service will be characterized with either an honorable or under honorable conditions (general) discharge. I am recommending that your service be characterized with an under honorable conditions (general) discharge.

2. My reasons for this action are:

- a. You, being indebted to the Deferred Payment Plan (DPP) in the sum of \$20.00, which amount became due and payable on or about 31 July 1996, did at Langley Air Force Base, Virginia, dishonorably fail to pay said debt. For this incident, you received a letter of counseling on 31 July 1996. (Attachment 1)
- b. You, did at Langley Air Force Base, Virginia, on or about 11 September 1997, without authority, fail to go at the time prescribed to your appointed place of duty. For this incident, you received a letter of counseling on 11 September 1997. (Attachment 2)
- c. You, did at Langley Air Force Base, Virginia, from on or about 25 November 1997 to on or about 26 November 1997, without authority, fail to go at the time prescribed to your appointed place of duty. For these incidents, you received a letter of counseling on 26 November 1997. (Attachment 3)
- d. You, who knew or should have known of your duties at Langley Air Force Base, Virginia, on or about 11 December 1997, were derelict in the performance of those duties in that you failed to take your line badge test, as it was your duty to do. For this incident, you received a letter of counseling on 11 December 1997. (Attachment 4)
- e. You, did at Langley Air Force Base, Virginia, on or about 20 January 1998, without authority, fail to go at the time prescribed to your appointed place of duty. For this incident, you received a letter of counseling on 20 January 1998. (Attachment 5)
- authority, fail to go at the time prescribed to your appointed place of duty. For this incident, you received a letter of reprimand on 22 January 1998 and an University Information File (UIF) was established on 28 January 1998. (Attachment 6)



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



Commander, 1 EMS

Attachments:

- 1. LOC (31 Jul 96)
- 2. LOC (11 Sep 97)
- 3. LOC (26 Nov 97)
- 4. LOC (11 Dec 97)
- 5. LOC (20 Jan 98)
- 6. LOR (22 Jan 98) and UIF (28 Jan 98)
- 7. Art 15 (18 Mar 98)
- 8. Receipt of Notification Memorandum