

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)		GRADE		AFSN/SSAN		
[REDACTED]		A1C		[REDACTED]		
TYPE GEN		PERSONAL APPEARANCE		X RECORD REVIEW		
COUNSEL		NAME OF COUNSEL AND OR ORGANIZATION		ADDRESS AND OR ORGANIZATION OF COUNSEL		
YES No						
X						
MEMBER SITTING		VOTE OF THE BOARD				
		HON	GEN	UOTHC	OTHER	DENY
[REDACTED]						X
[REDACTED]						X
[REDACTED]						X
[REDACTED]						X
[REDACTED]						X
ISSUES		INDEX NUMBER		EXHIBITS SUBMITTED TO THE BOARD		
A92.37		A67.50		1 ORDER APPOINTING THE BOARD		
A93.21				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 DATE		CASE NUMBER				
16 Dec 2003		FD-2003-00271				
APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE ARE DISCUSSED ON THE ATTACHED DISCHARGE REVIEW BOARD DECISIONAL RATIONALE						
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 [REDACTED]						
DATE: 12/16/2003						
TO: SAF/MRBR 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, 3RD FLOOR ANDREWS AFB, MD 20762-7002			

**AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE**

CASE NUMBER

FD2003-00271

**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 that neither the evidence of record nor that provided by the applicant substantiates an inequity or impropriety that would justify a change of discharge.

Issues. Applicant was discharged for a pattern of misconduct. He had an Article 15 and a vacation of suspended punishment; his misconduct included misuse of his government travel card, failing to pay the resultant debt, dereliction of duty, and making a false official statement. Member had three Enlisted Performance Reports, the last two of which were referrals. They noted member's sporadic duty performance requiring close supervision, lack of initiative, failure to timely or accurately complete tasks resulting in the necessity to be reaccomplished, or in customer dissatisfaction or financial hardship. Applicant now contends he was diagnosed with a medical condition after his separation (hypothyroidism) that was present while he was in service and that negatively affected his decision-making and performance. Unfortunately neither member's medical records or the discharge processing files were available to the Board for review due to being missing from the record. Because member's discharge file was unavailable to the Board for review, the Board was unable to ascertain if there was other misconduct on member's part, or additional bases for the discharge. The Board also could not determine if member consulted counsel or submitted statements on his own behalf at the time of the discharge. Member was also entitled to an administrative discharge board but it was unclear whether he met such a board or waived that right. When requested to provide any pertinent information he may have about the discharge file or his record of service, applicant stated he had no records to provide. Lacking documented evidence from the applicant to the contrary, the Board relies on the presumption of regularity and finds the discharge proper and without basis for an upgrade. No inequity or impropriety could be found in this discharge in the course of the records review.

Additionally, the Board noted member was age 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, and further opined that even had member been diagnosed with hypothyroidism while in the service, that would not have caused all of his misconduct or mitigated it.

**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

MISSING MEDICAL RECORDS  
MISSING DOCUMENTS

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

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 24 Jun 98 UP AFI 36-3208, para 5.50 (Misconduct - A Pattern of Misconduct). Appeals for Honorable Disch.

2. **BACKGROUND:**

a. DOB: 22 Apr 71. Enlmt Age: 20 3/12. Disch Age: 27 2/12. Educ: HS DIPL. AFQT: N/A. A-77, E-80, G-92, M-72. PAFSC: 6F051 - Financial Management Journeyman. DAS: 11 May 92.

b. Prior Sv: (1) AFRes 14 Aug 91 - 26 Dec 91 (4 Months 13 Days) (Inactive).

(2) Enld as AB 27 Dec 91 for 4 yrs. Svd: 3 Yrs 2 Mos 2 Das, all AMS. AMN - Unknown. A1C - (EPR Indicates): 27 Dec 91 - 26 Aug 93. SrA - 27 Dec 94. EPRs: 4,4.

3. **SERVICE UNDER REVIEW:**

a. Reenld as SRA 1 Mar 95 for 4 yrs. Svd: 3 Yrs 3 Mos 24 Das, all AMS.

b. Grade Status: A1C - 8 May 97 (Vacation of Article 15, 8 Aug 97)

c. Time Lost: None.

d. Art 15's: (1) 8 Aug 97, Vacation, Andrews AFB, MD - Article 92. You, on or about 9 Jul 97, having knowledge of your duties, were derelict in the performance of those duties in that you willfully failed to complete your assigned duties (computing and logging travel vouchers) as directed to you by SSgt [REDACTED]. Article 107. You did, on or about 9 Jul 97, with intent to deceive, make an official statement to SSgt [REDACTED], to wit: that you were finished with all your work except for 2 or 3 vouchers, which statement was totally false, and then known by you to be so false. Reduction to A1C. (No appeal) (No mitigation)

(2) 8 May 97, Andrews AFB, MD - Article 92. You, from on or about 4 Jan 97 to on or about 5 Feb 97, having knowledge of your duties, were derelict in the performance of those duties in that you willfully failed to refrain from obtaining cash advances and services for

personal purposes on your Government American Express Card, thereby using this card for other than official government business, as it was your duty to do. Article 134. You, being indebted to the American Express Card Company in the sum of \$872.37 for the procurement of goods and services which became due and payable on or about 28 Feb 97, did, from on or about 28 Feb 97 to on or about 12 Apr 97, dishonorably fail to pay said debt. Suspended reduction to A1C, suspended forfeiture of \$75.00 pay per month for 2 months, and 15 days extra duty. (No appeal) (No mitigation)

e. Additional: UNKNOWN (Missing discharge case file).

f. CM: None.

g. Record of SV: 27 Aug 94 - 26 Aug 95 Andrews AFB 4 (Annual)  
 27 Aug 95 - 26 Aug 96 Andrews AFB 3 (Annual)  
 27 Aug 96 - 30 Apr 97 Andrews AFB 3 (CRO) REF  
 01 May 97 - 19 Jan 98 Andrews AFB 2 (CRO) REF

(Discharged from Andrews AFB)

h. Awards & Decs: AFLSA, AFTR, AFOUA W/1 OLC, AFGCM.

i. Stmt of Sv: TMS: (6) Yrs (10) Mos (11) Das  
 TAMS: (6) Yrs (5) Mos (29) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 3 Jun 03.  
 (Change Discharge to Honorable)

Issue 1: The discharge is improper because of an unknown medical condition that affected my performance and decision making.

**ATCH**

1. Applicant's Letter.
2. Medical Statement.
3. College Diploma.
4. Character Reference.
5. Criminal Records Check.

6 Nov 03/br