

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) [REDACTED]		GRADE A1C	AFSN/SSAN [REDACTED]				
TYPE	PERSONAL APPEARANCE	X RECORD REVIEW					
COUNSEL		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	
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				
		4	BRIEF OF PERSONNEL FILE				
						COUNSEL'S RELEASE TO THE BOARD	
						ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE	
HEARING DATE 14 NOV 03		CASE NUMBER FD2003-00355		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 Andrews AFB, MD. Advise applicant of the decision of the Board, the right to a personal appearance with or without counsel, and the right to submit an application to the AFBCMR.							
INDORSEMENT					DATE: 14 NOV 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

FD2003-00355

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 available pertinent data on the applicant and the factors leading to the discharge.

FINDINGS: Upgrade of discharge to Honorable is denied.

The Board finds that neither the evidence of record nor that provided by the applicant substantiates an impropriety that would justify upgrade of the discharge.

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 one Article 15, five Letters of Reprimand, and one Record of Individual Counseling. The misconduct included drunk and disorderly, failure to go, failure to obey, failed room inspection, failure to comply with rules and procedures, and dereliction of duty. The DRB opined that through these administrative actions, the applicant had ample opportunities to change his negative behavior. 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 A1C) (HGH A1C)

MISSING MEDICAL RECORDS

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 8 Jul 03 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 21 May 81. Enlmt Age: 21 1/12. Disch Age: 22 1/12. Educ: HS DIPL. AFQT: N/A. A-74, E-43, G-48, M-52. PAFSC: 2A313E - Tactical Aircraft Maintenance Helper. DAS: 3 Feb 03.

b. Prior Sv: (1) AFRes 24 Jun 02 - 2 Dec 02 (5 months 9 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 3 Dec 02 for 6 yrs. Svd: 0 Yrs 7 Mo 6 Das, all AMS.

b. Grade Status: A1C - 31 Jan 03

c. Time Lost: None.

d. Art 15's: (1) 6 Jun 03, Sheppard AFB, TX - Article 134. You, were, on or about 26 Apr 03, drunk and disorderly. Forfeiture of \$575.00 pay per month for 2 months. (No appeal) (No mitigation)

e. Additional: LOR, 17 JUN 03 - Failure to go.
 LOR, 29 MAY 03 - Failure to go.
 LOR, 15 MAY 03 - Failure to obey orders.
 RIC, 15 MAY 03 - Failed room inspection.
 AETC 341, 14 MAY 03 - Second failed room inspection.
 LOR, 01 MAY 03 - Failue to comply with rules and procedures.
 LOR, 21 APR 03 - Failure to obey a lawful order and dereliction of duty.

f. CM: None.

g. Record of SV: None.

(Discharged from Sheppard AFB)

h. Awards & Decs: AFTR, NDSM.

i. Stmt of Sv: TMS: (1) Yrs (0) Mos (15) Das

TAMS: (0) Yrs (7) Mos (6) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 18 Jul 03.
(Change Discharge to Honorable)

NO ISSUES SUBMITTED.

ATCH

None.

2SEP03/ia



DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND

MEMORANDUM FOR AIC [REDACTED] 362 TRS

FROM: 362 TRS/CCQ

JUL 01 2003

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 AFD 36-32 and AFI 36-3208, 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. You did, at or near Sheppard AFB, TX, on or about 16 Jun 03, without authority, fail to go at the prescribed time to your appointed place of duty, to wit: physical conditioning (PC). For this misconduct you received a Letter of Reprimand (LOR) on 17 Jun 03.

b. You did, at or near Sheppard AFB TX, on or about 26 May 03, without authority, fail to go at the prescribed time to your appointed place of duty, to wit: Alcohol Drug Preventive Treatment (ADAPT) appointment. For this misconduct you received a LOR on 29 May 03.

c. You, who knew or should have known of your duties at or near Sheppard AFB TX, on or about 15 May 03, were derelict in the performance of those duties in that you failed to refrain from snapping your gum, as it was your duty to do. For this misconduct, you received an LOR on 15 May 03.

d. You, who knew or should have known of your duties at or near Sheppard AFB TX, on or about 14 May 03, were derelict in the performance of your duties in that you failed to keep your dormitory room in inspection order at all times, as it was your duty to do. For this misconduct you received an AF Form 174, Record of Individual Counseling, on 20 May 03.

e. You, who knew or should have known of your duties at or near Sheppard AFB TX, on or about 1 May 03, were derelict in the performance of those duties in that you left composite Tool Kit RFA-24 unlocked and unattended, as it was your duty not to do. For this misconduct, you received an LOR on 1 May 03

f. You were, at or near Sheppard AFB TX, on or about 26 Apr 03, drunk and disorderly. For this misconduct, you received Article 15 Punishment on 6 Jun 03.

g. You, who knew or should have known of your duties at or near Sheppard AFB TX, on or about 21 Apr 03, were derelict in the performance of those duties in that you failed to refrain from wearing jewelry around the aircraft while performing maintenance, as it was your duty to do. For this misconduct, you received an LOR on 21 Apr 03.

Copies of the documents to be forwarded to the separation authority in support of this recommendation are attached. The commander exercising SPCM jurisdiction or 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 will probably be denied enlistment in any component of the armed forces. Any special pay, bonus, or education assistance funds may be subject to recoupment.

3. 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 ~~_____~~ building 1638 on 2 July 03 at 1400. You may consult civilian counsel at your own expense.
4. 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 July 03 unless you request and receive an extension for good cause shown. I will send them to the separation authority.
5. 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.
6. You have been scheduled for a medical examination. You must report to the 82d Medical Group, Bldg 1200, Physical Examinations, at 16 Jun 03 on 1605 hrs.
7. 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 Commander's Support Staff Office.
8. Execute the attached acknowledgment and return it to me immediately.

~~_____~~
2d Lt, I
Squadron Section Command

Attachments:

1. LOR, 17 Jun 03
2. LOR, 29 May 03
3. Response to LOR, undated
4. LOR, 15 May 03
5. AF Form 1058, 15 May 03

6. AF Form 174, 15 May 03
7. AETC Form 341, 14 May
8. LOR, 1 May 03
9. AF Form 3070, 6 Jun 03
10. Incident Report Summary, I2003040121
11. DD Form 1920, AB [REDACTED] 26 Apr 03
12. AF Form 1168, AB [REDACTED] 26 Apr 03
13. AF Form 1168, A1C [REDACTED] 26 Apr 03
14. 82 SFS/CSF Memo, 26 Apr 03
15. DD Form 2708, AB [REDACTED] 26 Apr 03
16. LOR, 21 Apr 03
17. AETC Form 125A, 19 Jun 03
18. Student Training Report, 03009
19. MFR, A1C [REDACTED] 30 Jun 03
20. LAFB Form 205, 28 Jan 03
21. Airman's Receipt to Notification Memorandum [REDACTED]