

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) ████████████████████		GRADE AMN	AFSN/SSAN ████████████████			
TYPE GEN	PERSONAL APPEARANCE	X	RECORD REVIEW			
COUNSEL		ADDRESS AND OR ORGANIZATION OF COUNSEL				
YES	No					
	X					
MEMBER SITTING <div style="border: 1px dashed black; height: 150px; width: 100%;"></div>		VOTE OF THE BOARD				
		HON	GEN	UOTHC	OTHER	DENY
						X
						X
						X
						X
ISSUES 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			
		TAPE RECORDING OF PERSONAL APPEARANCE				
HEARING DATE 14 Jan 2004	CASE NUMBER FD-2003-00429					
APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE						
<p>Case heard at Washington, D.C.</p> <p>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</p>						
<div style="border: 1px dashed black; width: 100%; height: 40px; margin-bottom: 5px;"></div> <small>SIGNATURE OF BOARD PRESIDENT</small>						
INDORSEMENT				DATE: 01/14/2004		
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

FD-2003-00429

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 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 that would justify a change of discharge. 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.

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 seven Letter's of Reprimand and three Letter's of Counseling for being late for work numerous times, dereliction of duty, missed appointments, sloppy uniform, failed room inspection several times, failure to properly clean dormitory room, financial irresponsibility and unauthorized absence. The DRB opined that through these administrative actions, the applicant had ample opportunities to change her negative/repetitive behavior. The Board concluded the disciplinary infractions were a significant departure from the conduct expected of all military members.

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

[REDACTED]
[REDACTED]
(Former AMN) (HGH AMN)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr USAF 24 Oct 01 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Disch.

2. **BACKGROUND:**

a. DOB: 1 Jul 82. Enlmt Age: 17 5/12. Disch Age: 19 3/12. Educ: HS DIPL. AFQT: N/A. A-59, E-41, G-26, M-26. PAFSC: 3A031 - Information Management Apprentice. DAS: 27 Nov 00.

b. Prior Sv: (1) AFRes 16 Dec 99 - 17 Jul 00 (7 months 2 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 18 Jul 00 for 4 yrs. Svd: 1 Yrs 3 Mo 7 Das, all AMS.

b. Grade Status: AMN - 18 Jan 01

c. Time Lost: None.

d. Art 15's: None.

e. Additional: LOR, 01 OCT 01 - Late for work.
LOR, 29 SEP 01 - Late for duty.
LOR, 14 AUG 01 - Unauthorized absence.
LOC, 06 AUG 01 - Late for work.
LOR, 19 JUN 01 - Late for work, missed appointments, failure to properly clean dormitory room, and financial irresponsibility.
LOR, 16 MAY 01 - Failed room inspection several times.
RIC, 24 APR 01 - Late for work and sloppy uniform.
LOR, 19 APR 01 - Late for work and missed appointment.
LOR, 13 APR 01 - Late for work and dereliction of duty.
LOC, 03 APR 01 - Late for work.

f. CM: None.

g. Record of SV: None.

(Discharged from Nellis AFB)

h. Awards & Decs: AFTR.

i. Stmt of Sv: TMS: (1) Yrs (10) Mos (9) Das
TAMS: (1) Yrs (3) Mos (7) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 2 Sep 03.
(Change Discharge to Honorable)

NO ISSUES SUBMITTED.

ATCH
None.

10OCT03/ia



FD 2003-00429

DEPARTMENT OF THE AIR FORCE
99th SECURITY FORCES SQUADRON (ACC)
NELLIS AIR FORCE BASE, NEVADA

MEMORANDUM FOR AMN [REDACTED]

FROM: CC

SUBJECT: Notification Memorandum - Administrative Discharge AFI 36-3208

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, paragraph 5.49. If my recommendation is approved, your service will be characterized as honorable or general. I am recommending that your service be characterized as general.

2. My reasons for this action are:

a. On or about 2 Apr 01, you called TSgt [REDACTED] to inform her that you would be late for work. Upon arriving to work you had no excusable reason why you were late for work. For your actions, you received a Letter of Counseling (LOC) on 3 Apr 01;

b. On or about 13 Apr 01, you failed to go to a scheduled appointment for 3A0X1 Training with SSgt [REDACTED] at 0800 hours. You were scheduled for the appointment on 2 Apr 01, giving you ample time to notify SrA [REDACTED] or TSgt [REDACTED] of this appointment and to schedule your time accordingly. You were also told to pick-up phone books at the Family Support Center at the start of the duty day, which begins at 0730 hours. At approximately 0750 hours TSgt [REDACTED] called you and you had not begun your duty day. You were reminded the night before that you were to pick-up what you needed from the Family Support Center first thing in the morning and report to work. For your actions, you received a Letter of Reprimand (LOR) on 13 Apr 01;

c. On or about 19 Apr 01, you were extremely late for work. TSgt [REDACTED] had to physically wake you up in your dormitory room at 1030 hours. Additionally, you missed a mandatory appointment for ABSS training at 1000 hours. Also, when TSgt [REDACTED] entered your dormitory room your living conditions were deplorable. You have been verbally counseled on keeping your room in inspection order. For your actions, you received a LOR on 19 Apr 01;

d. On or about 24 Apr 01, you were 15 minutes late arriving to work while assigned to the Motivational Flight. When asked why you were late you stated that you didn't have a uniform that fit properly. You were asked on the first day of Motivational Flight if you had the proper uniform for the next day and you replied "yes." For your actions, you received a Record of Individual Counseling (ROIC) on 24 Apr 01;

e. On or about 10 May 01, TSgt [REDACTED] performed an inspected of your dormitory room, and it was found to be unacceptable. You were ordered to have your room ready for inspection

by the next Monday, 14 May 01. Again, you failed the inspection. Even though you were given 4 days to prepare your room, it looked exactly the same as the previous inspection. For your actions, you received a LOR on 16 May 01;

f. On or about 19 Jun 01, you failed on several occasions to report for duty on time and have missed several training appointments. Your supervisor took you to your dormitory room and instructed you on how to properly clean your room, and you still failed to do so. Your Delayed Payment Plan at the Base Exchange was in overdue status as of May 01. You were lagging behind on the progress of your CDCs. For your actions, you received a LOR on 19 Jun 01;

g. On or about 1 Aug 01, you reported to work late. For your actions, you received a LOC on 6 Aug 01;

h. On or about 14 Aug 01, you were absent from duty for over an hour, and you were found sleeping in the commander's conference room. For your actions, you received a LOR on 14 Aug 01;

i. On or about 29 Sep 01, you reported to work late. For your actions, you received a LOR on 29 Sep 01; and

j. On or about 30 Sep 01, you reported to work late. For your actions, you received a LOR on 1 Oct 01.

4. You have the right to consult legal counsel. Military legal counsel has been obtained to assist you. I have made an appointment for you to consult the Area Defense Counsel at Bldg 625 on _____ at _____ hours. You may consult civilian counsel at your own expense.


5. You have the right to submit statements in your own behalf. **You have three (3) duty days from the date/time served to submit statements in your behalf.** Any statements you want the separation authority to consider must reach me by _____ at _____ hours unless you request and receive an extension for good cause shown. I will send them to the separation authority.

6. In the event the commander exercising Special Court-Martial jurisdiction or a higher authority approves your discharge, separations will out-process you. Your initial separations briefing is scheduled for _____ on _____ hrs.

7. If you fail to consult or to submit statements in your own behalf, your failure will constitute a waiver of your right to do so.

8. You have been scheduled for a medical examination at the 99th Medical Group on _____ at _____ hrs.

9. 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 Unit Orderly Room.
10. Execute the attached acknowledgment and return it to me immediately.

 Colonel, USAF
Commander

- Attachments:
1. LOC, 3 Apr 01
 2. LOR, 13 Apr 01
 3. LOR, 19 Apr 01
 4. ROIC, 24 Apr 01
 5. LOR, 16 May 01
 6. LOR, 19 Jun 01
 7. LOC, 6 Aug 01
 8. LOR, 14 Aug 01
 9. LOR, 29 Sep 01
 10. LOR, 1 Oct 01