

**AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD**

<b>NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)</b> [REDACTED]		<b>GRADE</b> AMN	<b>AFSN/SSAN</b> [REDACTED]			
<b>TYPE GEN</b>	<b>PERSONAL APPEARANCE</b>	<b>X</b>	<b>RECORD REVIEW</b>			
<b>COUNSEL</b>		<b>ADDRESS AND OR ORGANIZATION OF COUNSEL</b>				
<b>YES</b>	<b>No</b>					
	<b>X</b>					
<b>MEMBER SITTING</b>		<b>VOTE OF THE BOARD</b>				
		HON	GEN	UOTHC	OTHER	DENY
						X
						X
						X
						X
<b>ISSUES</b> A94.05	<b>INDEX NUMBER</b> A67.10	<b>EXHIBITS SUBMITTED TO THE BOARD</b>				
		<b>1</b>	ORDER APPOINTING THE BOARD			
		<b>2</b>	APPLICATION FOR REVIEW OF DISCHARGE			
		<b>3</b>	LETTER OF NOTIFICATION			
		<b>4</b>	BRIEF OF PERSONNEL FILE			
			COUNSEL'S RELEASE TO THE BOARD			
			ADDITIONAL EXHIBITS SUBMITTED AT TIME OF PERSONAL APPEARANCE			
			TAPE RECORDING OF PERSONAL APPEARANCE			
<b>HEARING DATE</b> 09 Apr 2004	<b>CASE NUMBER</b> FD-2004-00030					
APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONAL ARE DISCUSSED ON THE ATTACHED AIR FORCE 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						
<b>INDORSEMENT</b>				<b>DATE: 4/9/2004</b>		
<b>TO:</b> SAF/MRBR 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742			<b>FROM:</b> 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-2004-00030**

**GENERAL:** The applicant appeals for upgrade of discharge to honorable, change the reason and authority for the discharge, and, change the reenlistment code.

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, change of reason and authority for discharge, and change of reenlistment code are denied.

**ISSUE:** Applicant contends discharge was inequitable because it was too harsh. The records indicated the applicant received four Letters of Reprimand and three Letters of Counseling in just seven months of service. The DRB opined that through these administrative actions, the applicant had ample opportunities to change her negative behavior. The Board concluded the misconduct was a significant departure from conduct expected of all military members. 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 AMN)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr Hurlburt Field, FL on 30 Jan 03 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge, to Change the RE Code, Reason and Authority for Discharge.

2. **BACKGROUND:**

a. DOB: 13 Dec 83. Enlmt Age: 18 1/12. Disch Age: 19 1/12. Educ: HS DIPL. AFQT: N/A. A-51, E-47, G-34, M-34. PAFSC: 2S031 - Supply Management Apprentice. DAS: 4 Nov 02.

b. Prior Sv: (1) AFRes 30 Jan 02 - 24 Jun 02 (4 months 26 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 25 Jun 02 for 4 yrs. Svd: 0 Yrs 7 Mo 6 Das, all AMS.

b. Grade Status: Amn - 25 Dec 02

c. Time Lost: None.

d. Art 15's: None.

e. Additional: LOR, 24 JAN 03 - Late for mandatory appointment.  
LOR, 21 JAN 03 - Pattern of misconduct while deployed.  
LOR, 16 JAN 03 - Disobeying a direct order and disrespect to an NCO.  
RIC, 17 DEC 02 - Late for work.  
RIC, 16 DEC 02 - Failure to obey a direct order to clean her dormitory room.  
RIC, 16 DEC 02 - Failure to obey a direct order to clean her dormitory room.  
LOR, 21 NOV 02 - Underage drinking.

f. CM: None.

g. Record of SV: None.

h. Awards & Decs: AFTR.

i. Stmt of Sv: TMS: (1) Yrs (0) Mos (1) Das  
TAMS: (0) Yrs (7) Mos (6) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 3 Dec 03.

(Change Discharge to Honorable, Change the RE Code, Reason and Authority for Discharge)

Issue 1: I feel I am ready & deserve to be back in the Service.

Issue 2: I understand & take full responsibility for the things that I did wrong while I was enlisted in the Air Force. I feel that I have learned a very valuable lesson and are ready to be back in the Air Force. I want to feel the pride of wearing that uniform once more.

Issue 3: I would like to state that while I was deployed, when I was served the L.O.R. for disobeying a lawful order, that I was made to believe that I had to sign it no matter what. Once again I would like to say that I take full responsibility for the wrong that I did while in the Air Force. I meant no disrespect whatsoever. I feel that discharge from the Air Force was a little harse. I want to be back in the service because I feel I can make a positive difference for the Air Force. I loved serving my country.

**ATCH**

1. Applicant's Letter to the Air Force Discharge Review Board.
2. Petition in Support of Applicant.
3. Letter of Support.
4. Fourteen Certificates of Recognition.

5MAR04/ia



DEPARTMENT OF THE AIR FORCE  
16<sup>TH</sup> LOGISTICS READINESS SQUADRON (AFSOC)

FD 2004-00030

24 JAN 2003

MEMORANDUM FOR AMN [REDACTED]

FROM: 16 LRS/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for misconduct, more specifically, 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 for discharge 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 based on the following:
  - a. On 21 Jan 03, you disobeyed a direct order from MSgt [REDACTED] by not showing up for a mandatory appointment at 0730, for which you were given a Letter of Reprimand (LOR), dated 24 Jan 03, which was filed in your Personnel Information File (PIF).
  - b. On 14 Jan 03, you disobeyed a direct lawful order given by SMSgt [REDACTED] for which you were given an LOR, dated 16 Jan 03, which was filed in your PIF.
  - c. On 13 Jan 03 while deployed, you were relieved of your duties and sent back to Hurlburt Field, by the Mission Support Group Commander due to a pattern of misconduct, for which you were given an LOR, dated 21 Jan 03, which was filed in your PIF.
  - d. On 17 Dec 02, you failed to report to work on time, for which you were given a Record of Individual Counseling (RIC), dated 17 Dec 02, which was filed in your PIF.
  - e. On 16 Dec 02, you related to SrA [REDACTED] that your dormitory room was clean or in inspection order. Upon inspection by SSgt [REDACTED] and [REDACTED], you failed your dormitory room inspection, for which you were given an RIC, dated 17 Dec 02, which was filed in your PIF.
  - f. On 12 Dec 02, you failed to have your dormitory room in inspection order, for which you were given an RIC, dated 16 Dec 02, which was filed in your PIF.
  - g. On 21 Nov 02, you were observed on two occasions being sick on duty. You admitted to consuming three mixed drinks (alcoholic beverages) on 20 Nov 02, while under the legal age of 21 years old, for which you were given an LOR, dated 21 Nov 02, which was filed in your PIF.

3. Copies of the documents to be forwarded to the separation authority in support of this recommendation are attached. The commander exercising Special Courts-Martial jurisdiction or a higher authority will decide whether you will be discharged or retained in the Air Force. If you are discharged, you will be ineligible for reenlistment in the Air Force.

4. 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 the Area Defense Counsel at Hurlburt Field, FL, Bldg [REDACTED] on 27 JAN at 0900 hours. You may consult civilian counsel at your own expense. *JM TUB*

5. You have the right to submit statements on your own behalf. Any statements you want the separation authority to consider must reach me within three workdays of your receipt of this memorandum, unless you 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 to submit statements on your own behalf, your failure will constitute a waiver of your right to do so.

7. You are scheduled for a medical examination and you should report to the Hurlburt Clinic at 0745 hrs on 29 JAN for the examination. *JM TUB*

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 at the unit orderly room.



Maj, USAF

Commander

Attachments:

Supporting documents--for the reason for discharge

1. LOR, dtd 24 Jan 03 (2p.)
2. LOR, dtd 16 Jan 03 (2p.)
3. LOR, dtd 21 Jan 03 (2p.)
4. RIC, dtd 17 Dec 02 (2p.)
5. RIC, dtd 16 Dec 02 (2p.)
6. RIC, dtd 16 Dec 02 (2p.)
7. LOR, dtd 21 Nov 02 (2p.)
8. Airman's receipt of notification memorandum