

AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL) <div style="background-color: black; width: 100px; height: 15px;"></div>				GRADE A1C		AFSN/SSAN <div style="background-color: black; width: 100px; height: 15px;"></div>				
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				
<div style="border: 1px dashed black; width: 250px; height: 150px;"></div>						HON	GEN	UOTHC	OTHER	DENY
						X				
						X				
						X				
						X				
						X				
ISSUES A94.06		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 19 May 2004		CASE NUMBER FD-2004-00094								
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										
INDORSEMENT						DATE: 5/19/2004				
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-2004-00094
<p>GENERAL: The applicant appeals for upgrade of discharge to honorable, to change the reason and authority for the discharge, and to change the reenlistment code.</p> <p>The applicant was offered a personal appearance before the Discharge Review Board (DRB) but declined to exercise this right.</p> <p>The attached brief contains available pertinent data on the applicant and the factors leading to the discharge.</p> <p>FINDINGS: Upgrade of Discharge is approved. Change of reason and authority for discharge, and change of reenlistment code are denied.</p> <p>ISSUE: Applicant contends discharge was inequitable because it was too harsh. The records indicated the applicant received an Article 15, three Letters of Reprimand, and four Letters of Counseling for exceeding weight standards and minor misconduct. The Board noticed that the applicant was 13 days short of completing his enlistment. The DRB opined that the characterization of the discharge received by the applicant was found to be inequitable.</p> <p>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.</p> <p>However, in view of the foregoing findings, the Board further concludes that the overall quality of applicant's service is more accurately reflected by an Honorable discharge.</p> <p>Attachment: Examiner's Brief</p>	

DEPARTMENT OF THE AIR FORCE
AIR FORCE DISCHARGE REVIEW BOARD
ANDREWS AFB, MD

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

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr Barksdale AFB, LA on 18 Jan 90 UP AFR 39-10, para 5-46 (Pattern of Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge and to Change the RE Code, Reason and Authority for Discharge.

2. **BACKGROUND:**

a. DOB: 6 Nov 67. Enlmt Age: 17 8/12. Disch Age: 22 2/12. Educ: HS DIPL. AFQT: N/A. A-56, E-37, G-37, M-27. PAFSC: 64551 - Material Storage and Distribution Specialist. DAS: 15 May 86.

b. Prior Sv: (1) AFRes 11 Jul 85 - 30 Jan 86 (6 months 20 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 31 Jan 86 for 4 yrs. Svd: 3 Yrs 11 Mo 19 Das, all AMS.

b. Grade Status: A1C - 3 Jan 90 (Article 15, 3 Jan 90)
SrA - 31 Jan 89
A1C - (APR Indicates): 31 Jan 87-11 Jun 87
AMN - (APR Indicates): 31 Jan 86-30 Jan 87

c. Time Lost: None.

d. Art 15's: (1) 3 Jan 90, Barksdale AFB, LA - Article 86. In that you, did, on or about 20 Dec 89, without authority, fail to go at the time prescribed to your appointed place of duty. Article 91. You did, on or about 19 Dec 89, treat with contempt and was disrespectful in language and deportment toward TSgt [REDACTED], a noncommissioned officer, then known by you to be a noncommissioned officer, who was then in the execution of his office, by saying to him "That I am disappointed in you" and "That you are never behind me" and "That all you do is kiss ass all the time," or words to that effect. Reduction to A1C. (No appeal) (No mitigation)

e. Additional: RIC, 19 DEC 89 - Failure to go.
LOR, 17 NOV 89 - Late for duty.
LOR, 09 NOV 89 - Exceeded weight standards.
RIC, 20 MAR 89 - Failure to go.
RIC, 02 FEB 89 - Personality conflict.
LOR, 13 JUL 88 - Exceeded weight standards.
LOA, 11 MAY 88 - Exceeded weight standards.

f. CM: None.

g. Record of SV: 31 Jan 86 - 30 Jan 87 Barksdale AFB 8 (Annual)
 31 Jan 87 - 11 Jun 87 Barksdale AFB 8 (CRO)
 12 Jun 87 - 29 Feb 88 Barksdale AFB 9 (CRO)
 01 Mar 88 - 28 Feb 89 Barksdale AFB 9 (Annual)

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

i. Stmt of Sv: TMS: (4) Yrs (6) Mos (8) Das
 TAMS: (3) Yrs (11) Mos (19) Das

4. BASIS ADVANCED FOR REVIEW: Appln (DD Fm 293) dtd 23 Feb 04.

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

Issue 1: My years in the U.S.A.F. were incredible. They taught me discipline & work ethic and integrity. I wouldn't trade that for the world and am still today proud to have serve (sic) in the U.S.A.F., the U.S.A.F. in many people's eyes is the greatest branch of Armed Services existing, I would like my DD 214 upgraded to complete Honorable in hopes I may attempt to join the U.S.A.F. Reserves. Thank you for your time.

Issue 2: P.S. My demise while in the U.S.A.F. was my struggle & my weight, I was not disciplined enough to control my weight, but I'm now.

ATCH

1. Two Letters of Recommendation.
2. Performance Award.

7APR04/ia



DEPARTMENT OF THE AIR FORCE
HEADQUARTERS 2D BOMBARDMENT WING (SAC)
BARKSDALE AIR FORCE BASE, LOUISIANA 71110-5000

FD 2004-00094



REPLY TO
ATTN OF: 2SUPS/CC

9 Jan 90

SUBJECT: Notification Letter

TO: A1C [REDACTED] 2SUPS

1. I am recommending your discharge from the United States Air Force for minor disciplinary infractions. The authority for this action is AFR 39-10, paragraph 5-46. 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 14 Jan 89, you failed to cooperate with co-workers, as evidenced by AF Form 174 on 2 Feb 89.

b. On or about 17 Mar 89, you failed to go to a squadron event, to wit: Squadron Olympics, as evidenced by AF Form 174 on 20 Mar 89.

c. On or about 16 Nov 89, you failed to report to your assigned duty station at the appointed time, to wit: Duty hours 0700 - 1900, as evidenced by a Letter of Reprimand on 17 Nov 89.

d. On or about 19 Dec 89, you failed to report to your assigned duty station, as evidenced by AF Form 174 on 19 Dec 89.

e. On or about 19 Dec 89, you treated with contempt and was disrespectful in language and deportment toward TSgt [REDACTED] a noncommissioned officer, then known by you to be a noncommissioned officer, who was then in the execution of his office, by saying to him that, "I am disappointed in you" and that "you are never behind me", and that "all you do is kiss ass all the time." or words to that effect. Furthermore, on or about 20 Dec 89, you did, without authority, fail to go at the time prescribed to your scheduled appointment, to wit: Bldg 4540, Flight Surgeon's office, as evidenced by an Art 15 on 3 Jan 90.

Copies of the documents to be forwarded to the separation authority in support of this recommendation are attached. The commander exercising SPCM jurisdiction or a 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.

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 Capt [REDACTED] at bldg 5541, Rm 323 on 10 Jan 90 at 0900 hrs. 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 three workdays 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 had already been scheduled for a medical examination. The previous appointment was on 2 Jan 90 at 0730 hrs. A new physical is not necessary.

7. Any personal information you furnish in rebuttal is covered by the Privacy Act Statement as explained in AFR 39-10, attachment 6. A copy of the AFR 39-10 is available for your use in your unit Orderly room.

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

[REDACTED]
Lt Col, USAF
Commander, 2d Supply Squadron

10 Atchs

1. AF Form 174, dtd 2 Feb 89
2. AF Form 174, dtd 20 Mar 89
3. LOR, dtd 17 Nov 89
4. AF Form 174, dtd 19 Dec 89
5. Art 15, dtd 3 Jan 90 w/Atchs
6. LOA, dtd 11 May 88
7. LOR, dtd 13 Jul 88
8. LOR/UIF, dtd 9 Nov 89
9. Recommendation for Discharge Ltr, dtd 12 Dec 89
10. AF Form 393