

# AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

|  |                                     |                                     |  |  |   |           |       |      |
|--|-------------------------------------|-------------------------------------|--|--|---|-----------|-------|------|
| NAME OF SERVICE MEMBER (LAST, FIRST, MIDDLE INITIAL)   |                                     |                                     |  | GRADE  |   | AFSN/SSAN |       |      |
| TYPE UOTH  |                                     | PERSONAL APPEARANCE                 |  |  | <input checked="" type="checkbox"/> RECORD REVIEW |           |       |      |
| COUNSEL  |                                     | NAME OF COUNSEL AND OR ORGANIZATION |  |  | ADDRESS AND OR ORGANIZATION OF COUNSEL            |           |       |      |
| YES  | No                                  |                                     |  |  |   |           |       |      |
|  | <input checked="" type="checkbox"/> |                                     |  |  |   |           |       |      |
| MEMBER SITTING   |                                     |                                     |  | VOTE OF THE BOARD  |   |           |       |      |
|  |                                     |                                     |  | HON  | GEN   | UOTHC     | OTHER | DENY |
|  |                                     |                                     |  |  |   |           |       | X    |
|  |                                     |                                     |  |  |   |           |       | X    |
|  |                                     |                                     |  |  |   |           |       | X    |
|  |                                     |                                     |  |  |   |           |       | X    |
|  |                                     |                                     |  |  |   |           |       | X    |
| ISSUES<br>A94.05<br>DTJ7   |                                     |                                     |  | 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   |                                     |                                     |  | CASE NUMBER  |   |           |       |      |
| 09 Mar 2005  |                                     |                                     |  | FD-2004-00417  |   |           |       |      |
| APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONALE ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE   |                                     |                                     |  |  |   |           |       |      |
| Case heard at Washington, D.C.<br><br>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.<br><br>Names and votes will be made available to the applicant at the applicant's request. |                                     |                                     |  |  |   |           |       |      |
|  |                                     |                                     |  |  |   |           |       |      |
| INDORSEMENT  |                                     |                                     |  | DATE: 3/9/2005   |   |           |       |      |
| TO:<br>SAF/MRBR<br>550 C STREET WEST, SUITE 40<br>RANDOLPH AFB, TX 78150-4742  |                                     |                                     |  | FROM:<br>SECRETARY OF THE AIR FORCE PERSONNEL COUNCIL<br>AIR FORCE DISCHARGE REVIEW BOARD<br>1535 COMMAND DR, EE WING, 3RD FLOOR<br>ANDREWS AFB, MD 20762-7002 |   |           |       |      |

|  |                      |
|--|----------------------|
| <b>AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE</b> | <b>CASE NUMBER</b>   |
|  | <b>FD-2004-00417</b> |

**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 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.

**ISSUE:** Applicant contends discharge was inequitable because it was too harsh. The records indicated the applicant requested an Under-other-than Honorable Discharge in Lieu of Court Martial. On 27 August 2001, charges were preferred on the applicant including one charge with four specifications for bad checks in violation of Article 123a, UCMJ, and one charge and specification for failure to pay a debt in violation of Article 134, UCMJ. The applicant was charged with making, drawing, or uttering checks without sufficient funds in the amount of \$6147.74 and failure to pay a just debt involving her government travel card in the amount of \$3073.55. 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

[REDACTED]  
(Former SSGT) (HGH SSGT)

1. **MATTER UNDER REVIEW:** Appl rec'd a UOTHC Disch fr Seymour Johnson AFB, TX on 30 Nov 01 UP AFI 36-3208, Chapter 4 (Discharge in Lieu of Court Martial). Appeals for Honorable Discharge.

2. **BACKGROUND:**

a. DOB: 11 Dec 73. Enlmt Age: 17 7/12. Disch Age: 27 11/12. Educ: HS DIPL. AFQT: N/A. A-69, E-50, G-46, M-34. PAFSC: 4A071 - Health Services Management Craftsman. DAS: 6 Mar 92.

b. Prior Sv: (1) AFRes 15 Jul 91 - 17 Nov 91 (4 months 3 days) (Inactive).

(2) Enlisted as AlC 18 Nov 91 for 4 yrs. Reenlisted as SrA 6 Dec 94 for 4 yrs. Svd: 7 yrs 0 months 1 day, all AMS. SrA - 18 Sep 93. SSgt - 1 Jun 97. EPRs: 5,5,5,5,5,5.

3. **SERVICE UNDER REVIEW:**

a. Reenlisted as SSgt 20 Nov 98 for 4 yrs. Svd: 3 Yrs 0 Mo 10 Das, all AMS.

b. Grade Status: None.

c. Time Lost: None.

d. Art 15's: None.

e. Additional: None.

f. CM: None.

g. Record of SV: 3 Jun 98 - 2 Jun 99 Seymour Johnson AFB 5 (Annual)  
3 Jun 99 - 2 Jun 00 Seymour Johnson AFB 5 (Annual)  
3 Jun 00 - 2 Jun 01 Seymour Johnson AFB 3 (Annual) REF

h. Awards & Decs: AFCEM, AFLSAR W/1 DEV, AFTR, NDSM, NCOPMER, AFOUA W/3 DEVS, AFGCM W/2 DEVS.

i. Stmt of Sv: TMS: (10) Yrs (4) Mos (16) Das  
TAMS: (10) Yrs (0) Mos (13) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 7 Oct 04.  
(Change Discharge to Honorable)

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ISSUES ATTACHED TO BRIEF.

**ATCH**

1. Applicant's Issues.
2. Eight Enlisted Performance Reports.
3. Six Character References.

20DEC04/ia

BB

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# APPLICATION FOR THE REVIEW OF DISCHARGE FROM THE ARMED FORCES OF THE UNITED STATES

(Please read instructions on Pages 3 and 4 BEFORE completing this application.)

Form Approved  
OMB No. 0704-0004  
Expires Aug 31, 2006

The public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to the Department of Defense, Executive Services and Communications Directorate (0704-0004). Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. PLEASE DO NOT RETURN YOUR FORM TO THE ABOVE ORGANIZATION. RETURN COMPLETED FORM TO THE APPROPRIATE ADDRESS ON BACK OF THIS PAGE.

## PRIVACY ACT STATEMENT

AUTHORITY: 10 U.S.C. 1553; E.O. 9397.

PRINCIPAL PURPOSE(S): To apply for a change in the characterization or reason for military discharge issued to an individual.

ROUTINE USE(S): None.

DISCLOSURE: Voluntary; however, failure to provide identifying information may impede processing of this application. The request for Social Security Number is strictly to assure proper identification of the individual and appropriate records.

### 1. APPLICANT DATA (The person whose discharge is to be reviewed). PLEASE PRINT OR TYPE INFORMATION.

a. BRANCH OF SERVICE (X one) ☐ ARMY ☐ MARINE CORPS ☐ NAVY ☒ AIR FORCE ☐ COAST GUARD

b. NAME (Last, First, Middle Initial)

c. GRADE/RANK AT DISCHARGE

SSgt

d. SOCIAL SECURITY NUMBER

### 2. DATE OF DISCHARGE OR SEPARATION

(YYYYMMDD) (If date is more than 15 years ago, submit a DD Form 149)

20011130

### 4. DISCHARGE CHARACTERIZATION RECEIVED (X one)

☐ HONORABLE☐ GENERAL/UNDER HONORABLE CONDITIONS☒ UNDER OTHER THAN HONORABLE CONDITIONS☐ BAD CONDUCT (Special court-martial only)☐ UNCHARACTERIZED☐ OTHER (Explain)

### 5. BOARD ACTION REQUESTED (X one)

☒ CHANGE TO HONORABLE☐ CHANGE TO GENERAL/UNDER HONORABLE CONDITIONS☐ CHANGE TO UNCHARACTERIZED (Not applicable for Air Force)☐ CHANGE NARRATIVE REASON FOR SEPARATION TO:

### 3. UNIT AND LOCATION AT DISCHARGE OR SEPARATION

4th Medical Group/Seymour Johnson AFB NC

### 6. ISSUES: WHY AN UPGRADE OR CHANGE IS REQUESTED AND JUSTIFICATION FOR THE REQUEST (Continue in Item 14. See instructions on Page 3.)

I am requesting an upgrade to my discharge because, I felt that my service that I contributed to the Air Force was honorable for 10 years. I truly believe that if the case had gone to a court-martial, no separation would have occurred. All the debts that I had incurred involving this case was settled before the court-martial date. I also believed had I been in a different squadron no charges would have even been brought to the attention of legal. I had a very exemplified record with the military.

### 7. (X if applicable) AN APPLICATION WAS PREVIOUSLY SUBMITTED ON (YYYYMMDD)

AND THIS FORM IS SUBMITTED TO ADD ADDITIONAL ISSUES, JUSTIFICATION, OR EVIDENCE.

### 8. IN SUPPORT OF THIS APPLICATION, THE FOLLOWING ATTACHED DOCUMENTS ARE SUBMITTED AS EVIDENCE: (Continue in Item 17.)

(If military documents or medical records are relevant to your case, please send copies.)

Copies of Enlisted Performance Reports, Character Statements by various individuals whom I served with while in the military.

### 9. TYPE OF REVIEW REQUESTED (X one)

☒ CONDUCT A RECORD REVIEW OF MY DISCHARGE BASED ON MY MILITARY PERSONNEL FILE AND ANY ADDITIONAL DOCUMENTATION SUBMITTED BY ME. I AND/OR (counsel/representative) WILL NOT APPEAR BEFORE THE BOARD.☐ I AND/OR (counsel/representative) WISH TO APPEAR AT A HEARING AT NO EXPENSE TO THE GOVERNMENT BEFORE THE BOARD IN THE WASHINGTON, D.C. METROPOLITAN AREA.☐ I AND/OR (counsel/representative) WISH TO APPEAR AT A HEARING AT NO EXPENSE TO THE GOVERNMENT BEFORE A TRAVELING PANEL CLOSEST TO (enter city and state) (NOTE: The Navy Discharge Review Board does not have a traveling panel.)

### 10.a. COUNSEL/REPRESENTATIVE (If any) NAME (Last, First, Middle Initial) AND ADDRESS

(See Item 10 of the instructions about counsel/representative.)

b. TELEPHONE NUMBER (Include Area Code)

c. E-MAIL

d. FAX NUMBER (Include Area Code)

### 11. APPLICANT MUST SIGN IN ITEM 13.a. BELOW. If the record in question is that of a deceased or incompetent person, LEGAL PROOF OF DEATH OR INCOMPETENCY MUST ACCOMPANY THE APPLICATION. If the application is signed by other than the applicant, indicate the name (print) and relationship by marking a box below.

☐ SPOUSE☐ WIDOW☐ WIDOWER☐ NEXT OF KIN☐ LEGAL REPRESENTATIVE☐ OTHER (Specify)

### 12.a. CURRENT MAILING ADDRESS OF APPLICANT OR PERSON ABOVE

(Forward notification of any change in address.)

b. TELEPHONE NUMBER (Include Area Code)

c. E-MAIL

d. FAX NUMBER (Include Area Code)

### 13. CERTIFICATION. I make the foregoing statements, as part of my claim, with full knowledge of the penalties involved for willfully making a false statement or claim. (U.S. Code, Title 18, Sections 287 and 1001, provide that an individual shall be fined under this title or imprisoned not more than 5 years, or both.)

### CASE NUMBER

(Do not write in this space.)

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SIGNATURE

(above)

b. DATE SIGNED - REQUIRED (YYYYMMDD)

20041007

**14. CONTINUATION OF ITEM 6, ISSUES (If applicable)**

I never received any letters of counseling, Letters of Reprimands, or Article of 15. I was devoted to the military, and just made some bad financial decisions, and not telling my superiors or commanders about these difficulties. I also believed that if I had a more experience Aera Defense Council I would not have been brought up on any of the charges.

**15. CONTINUATION OF ITEM 8, SUPPORTING DOCUMENTS (If applicable)****16. REMARKS (If applicable)****MAIL COMPLETED APPLICATIONS TO APPROPRIATE ADDRESS BELOW.****ARMY**

Army Review Boards Agency  
Support Division, St. Louis  
9700 Page Avenue  
St. Louis, MO 63132-5200  
(See <http://arba.army.pentagon.mil>)

**NAVY AND MARINE CORPS**

Naval Council of Personnel Boards  
720 Kennon Street, S.E.  
Room 309 (NDRB)  
Washington Navy Yard, DC 20374-5023

**AIR FORCE**

Air Force Review Boards Agency  
SAF/MRBR  
550-C Street West, Suite 40  
Randolph AFB, TX 78150-4742

**COAST GUARD**

U.S. Coast Guard  
Commandant (G-WPM)  
2100 Second Street, S.W. Room 5500  
Washington, DC 20593

LH00-70001

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## CHARGE SHEET

## I. PERSONAL DATA

|   |                     |                      |                                    |                     |
|---|---------------------|----------------------|------------------------------------|---------------------|
| 1. NAME OF ACCUSED (Last, First, MI)<br>[REDACTED]  |                     | 2. SSN<br>[REDACTED] | 3. GRADE OR RANK<br>Staff Sergeant | 4. PAY GRADE<br>E-5 |
| 5. UNIT OR ORGANIZATION<br>4th Medical Support Squadron (ACC)<br>Seymour Johnson Air Force Base, North Carolina |                     |                      | 6. CURRENT SERVICE                 |                     |
|   |                     |                      | a. INITIAL DATE<br>20 Nov 1998     | b. TERM<br>4        |
| 7. PAY PER MONTH  |                     |                      | 8. NATURE OF RESTRAINT OF ACCUSED  |                     |
| a. BASIC  | b. SEA/FOREIGN DUTY | c. TOTAL             | None                               |                     |
| \$1,888.50  | \$0.00              | \$1,888.50           | 9. DATE(S) IMPOSED                 |                     |

## II. CHARGES AND SPECIFICATIONS

## 10. CHARGE I Violation of the UCMJ, Article 123a

Specification 1: In that STAFF SERGEANT [REDACTED] United States Air Force, 4th Medical Support Squadron, Seymour Johnson Air Force Base, North Carolina, did, at or near Seymour Johnson Air Force Base, North Carolina, between on or about 2 January 2001 and on or about 9 February 2001, with intent to deceive and for the payment of money, wrongfully and unlawfully make and utter to Bank of America, certain checks for the payment of money as follows:

| Date     | Check # | Amount     |
|----------|---------|------------|
| 1 Jan 01 | 5065    | \$550.00   |
| 1 Feb 01 | 5069    | \$2,659.74 |

for a total amount of \$3,209.74, drawn upon the Branch Banking & Trust Bank, made payable to the order of Bank of America, and signed [REDACTED], then knowing that she, the maker thereof, did not or would not have sufficient funds in or credit with said bank for the payment of said checks in full upon their presentment.

Specification 2: In that STAFF SERGEANT [REDACTED] United States Air Force, 4th Medical Support Squadron, Seymour Johnson Air Force Base, North Carolina, did, at or near Seymour Johnson Air Force Base, North Carolina, on divers occasions, between on or about 5 April 2001 and on or about 6 April 2001, with intent to defraud and for the procurement of lawful currency and/or articles of value, wrongfully and unlawfully utter to the Army & Air Force Exchange Service, certain checks for the payment of money drawn upon the Branch Banking & Trust Bank, as follows:

| Date   | Check # | Amount   |
|--------|---------|----------|
| Apr 01 | 5142    | \$420.50 |
| Apr 01 | 5143    | \$300.00 |
| Apr 01 | 5165    | \$420.50 |

## III. PREFERRAL

|  |                    |  |
|--|--------------------|--|
| a. NAME OF ACCUSER (Last, First, MI)<br>[REDACTED] | b. GRADE<br>Lt Col | c. ORGANIZATION OF ACCUSER<br>4th Medical Support Squadron |
| SIGNATURE OF ACCUSER<br>[REDACTED]                 |                    | d. DATE<br>27 Aug 2001                                     |

AFFIDAVIT: Before me, the undersigned, authorized by law to administer oath in cases of this character, personally appeared the above named accuser this 27 day of August, 2001, and signed the foregoing charges and specifications under oath that he/she is a person subject to the Uniform Code of Military Justice and that he/she either has personal knowledge of or has investigated the matters set forth therein and that the same are true to the best of his/her knowledge and belief.

[REDACTED]  
Typed Name of OfficerCaptain  
Grade[REDACTED]  
Signature4th Fighter Wing  
Organization of Officer

Judge Advocate

Official Capacity to Administer Oath  
(See R.C.M. 307(b)(1) - must be commissioned officer)

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## CHARGE SHEET

(Continuation)

1. NAME OF ACCUSED (Last, First, MI)

2. SSN

## CHARGES AND SPECIFICATIONS

6 Apr 01 5166 \$300.00

of a total amount of \$1,441.00, and signed [REDACTED] then knowing that she, the maker thereof, did not or would not have sufficient funds in or credit with said bank for the payment of said checks in full upon their presentment.

Specification 3: In that STAFF SERGEANT [REDACTED] United States Air Force, 4th Medical Support Squadron, Seymour Johnson Air Force Base, North Carolina, did, at or near Seymour Johnson Air Force Base, North Carolina, on or about 9 April 2001, with intent to defraud and for the procurement of lawful currency and/or articles of value, wrongfully and unlawfully make and utter to the Army & Air Force Exchange Service, certain checks for the payment of money drawn upon Seymour Johnson Federal Credit Union, as follows:

| Date     | Check # | Amount   |
|----------|---------|----------|
| 1 Apr 01 | 5071    | \$300.00 |
| 1 Apr 01 | 5072    | \$677.00 |

of a total amount of \$977.00, and signed [REDACTED] then knowing that she, the maker thereof, did not or would not have sufficient funds in or credit with said bank for the payment of said checks in full upon their presentment.

Specification 4: In that STAFF SERGEANT [REDACTED] United States Air Force, 4th Medical Support Squadron, Seymour Johnson Air Force Base, North Carolina, did, at or near Seymour Johnson Air Force Base, North Carolina, on or about 9 May 2001, with intent to defraud and for the procurement of articles of value, wrongfully and unlawfully make and utter to Outdoor Recreation, a certain check for the payment of money drawn upon Seymour Johnson Federal Credit Union, as follows:

| Date   | Check # | Amount   |
|--------|---------|----------|
| May 01 | 5029    | \$520.00 |

of a total amount of \$520.00, and signed [REDACTED] then knowing that she, the maker thereof, did not or would not have sufficient funds in or credit with said bank for the payment of said check in full upon its presentment.

## CHARGE II Violation of the UCMJ, Article 134

Specification: In that STAFF SERGEANT [REDACTED] United States Air Force, 4th Medical Support Squadron, Seymour Johnson Air Force Base, North Carolina, being indebted to Nations Bank in the sum of \$3,073.55 for charges incurred on her government credit card, which amount became due and payable between on or about 1 January 2001 and on or about 3 April 2001, did, at or near Seymour Johnson Air Force Base, North Carolina, from on or about 1 January 2001 to on or about 3 April 2001, dishonorably fail to pay said debt.