

**AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD**

<b>NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)</b> ████████████████████	<b>GRADE</b> AMN	<b>AFSN/SSAN</b> ████████████████
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<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	UOHC	OTHER	DENY
					X
					X
					X
				X	
					X

<b>ISSUES</b> <b>A93.09</b>	<b>INDEX NUMBER</b> <b>A67.10</b>	<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> <b>21 Jul 2005</b>	<b>CASE NUMBER</b> <b>FD-2005-00062</b>			

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.

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.

Names and votes will be made available to the applicant at the applicant's request.

*[Signature]*

<b>INDORSEMENT</b>		<b>DATE: 7/21/2005</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-2005-00062

**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.

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:** Applicant does not contest her discharge. She states that her comments to her MTL and other higher ups would never be taken into consideration. This issue is without merit as the applicant did not go into any detail as to what she is referring to. She also feels that time and time again she was made out to be a liar and was threatened by her MTL. This issue is also without merit as there is no documentation as to what the applicant is referring to. The records indicated the applicant received four Letters of Reprimand and one Record of Individual Counseling for dereliction of duty, failure to obey lawful orders, failing her room inspection several times and for violating curfew. 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

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

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr Sheppard AFB, TX on 9 Aug 04 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge, and to Change the RE Code, Reason and Authority for Discharge.

2. **BACKGROUND:**

a. DOB: 20 Jan 82. Enlmt Age: 20 10/12. Disch Age: 22 6/12. Educ: HS DIPL. AFQT: N/A. A-81, E-68, G-52, M-33. PAFSC: 2A312 - Avionics Systems Helper. DAS: 10 Mar 04.

b. Prior Sv: (1) AFRes 13 Dec 02 - 23 Nov 03 (11 months 11 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 24 Nov 03 for 4 yrs. Svd: 0 Yrs 8 Mo 17 Das, all AMS.

b. Grade Status: Amn - 24 Nov 03

c. Time Lost: None.

d. Art 15's: None.

e. Additional: LOR, 22 JUN 04 - Third time dorm room inspection failure.  
LOR, 26 MAY 04 - Failure to obey lawful orders.  
LOR, 04 JUN 04 - Curfew violation, failing room inspection twice, and lying.  
RIC, 04 APR 04 - Failure to obey.  
LOR, 15 APR 04 - Dereliction of duty.

f. CM: None.

g. Record of SV: None.

h. Awards & Decs: AFTR, NDSM.

i. Stmt of Sv: TMS: (1) Yrs (7) Mos (28) Das  
TAMS: (0) Yrs (8) Mos (17) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 29 Jan 05.

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

Issue 1: One major issue mentioned to MTLs, higher ups in command such as 1<sup>st</sup> Seargeant (sic) and Chief MTL were never taken into much consideration. My husband was also with me through Tech Training and in serious mental depression condition. That was hardly taken into consideration.

Issue 2: I feel I was time and time again made out to be a liar & @ (sic) times forced by fear of higher ups to do so. By threats from MTL's.

Issue 3: Time and again I was pinpointed out for small things while others who were favored got no kind of reprimand or warnings.

Issue 4: I feel I was given an unjust reenlistment code in relation to my actions.

**ATCH**

1. DD Form 149.
2. Four Character References.
3. Two Letters of Appreciation.
4. Student Training Reports.
5. Basic Military Training Performance Summary.
6. DD Form 214.

15MAR05/ia

DEPARTMENT OF THE AIR FORCE  
AIR EDUCATION AND TRAINING COMMAND

JUL 21 2004

MEMORANDUM FOR AMN [REDACTED]

FROM: 365 TRS/CC

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 AFPD 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, who knew or should have known of your duties at or near Sheppard AFB TX, on or about 17 Jun 04, were derelict in the performance of those duties in that you willfully failed to keep your dormitory room in inspection order at all times, as it was your duty to do. For this misconduct you received a Letter of Reprimand (LOR) on 22 Jun 04.

b. You, who knew or should have known of your duties at or near Sheppard AFB TX, on or about 26 May 04, were derelict in the performance of those duties in that you willfully failed refrain from wearing a ring while performing a removal and installation on a UHF radio, as it was your duty to do. For this misconduct you received an LOR on 26 May 04.

c. You, who knew or should have known of your duties at or near Sheppard AFB TX, on or about 26 May 04, were derelict in the performance of those duties in that you willfully failed to keep your dormitory room in inspection order at all times, as it was your duty to do. For this misconduct and subparagraphs "d," "e" and "f" below you received an LOR on 4 Jun 04.

d. You did, at or near Sheppard AFB TX, on or about 26 May 04, with intent to deceive, make to [REDACTED] an official statement, to wit: you passed the phase progression run, which statement was totally false, and was then known by you to be false.

e. You, who knew or should have known of your duties at or near Sheppard AFB TX, on or about 19 May 04, were derelict in the performance of those duties in that you willfully failed to keep your dormitory room in inspection order at all times, as it was your duty to do.

f. You did, at or near Sheppard AFB TX, on or about 27 Apr 04, violate a lawful general regulation, to wit: AETCI 36-2216, paragraph 8.4, dated 10 Sep 01, by wrongfully being outside in Physical conditioning (PC) gear after your curfew.

## Attachments:

1. LOR, 22 Jun 04
2. Response to LOR, 28 Jun 04
3. LOR, 26 May 04
4. MFR, [REDACTED] 20 Jul 04
5. LOR, 4 Jun 04
6. AF Form 1168, [REDACTED] 28 Apr 04
7. AF Form 1168, [REDACTED] 28 Apr 04
8. AF Form 1168, [REDACTED] 28 Apr 04
9. AF Form 1168, [REDACTED] 27 Apr 04
10. AF Form 1168, [REDACTED] 26 Apr 04
11. AF Form 174, Record of Individual Counseling, 6 Apr 04
12. MFR, [REDACTED] 1 Apr 04
13. LOR, 15 Apr 04
14. AF Form 1168, [REDACTED] 16 Mar 04
15. AF Form 1168, [REDACTED] 16 Mar 04
16. AF Form 1168, [REDACTED] 16 Mar 04
17. AF Form 1168, [REDACTED] 16 Mar 04
18. 365<sup>th</sup> Remedial Military Training Day Participant Evaluation, 20 Mar 04
19. AETC Form 341, 17 Jun 04
20. AETC Form 341, Apr 04 and 25 Mar 04
21. AETC Form 125A, 8 Jun 04
22. Student Training Report, 04024
23. AETC Form 173, 30 Apr -17 Jun 04
24. Student Training Report, 04A21
25. Lackland AFB Form 205, 12 Jan 04
26. Airman's Receipt to Notification Memorandum