

**AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD**

<b>NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)</b>	<b>GRADE</b>	<b>AFSN/SSAN</b>
	<b>AB</b>	

<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
					X

<b>ISSUES</b>	<b>A94.05</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>CASE NUMBER</b>	
<b>06 Dec 2005</b>	<b>FD-2005-00134</b>	

**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.

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

<b>SIGNATURE OF RECORDER</b>	<b>SIGNATURE OF BOARD PRESIDENT</b>

<b>INDORSEMENT</b>		<b>DATE: 12/6/2005</b>
<b>TO:</b>	<b>FROM:</b>	
SAF/MRBR 550 C STREET WEST, SUITE 40 RANDOLPH AFB, TX 78150-4742	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-2005-00134**

**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.

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 contends the discharge was inequitable because it was too harsh. The records indicated the applicant received an Article 15, four Letters of Reprimand, and six AETC Forms 173 for misconduct. The misconduct included late for work, failure to mark student folder, failure to go, falling asleep in class, failure to have her student folder filled out correctly, failed dorm room inspection, left training without authorization, and failure to report for duty. 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 AB) (HGH AMN)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr Keesler AFB, MS on 25 Oct 04 UP AFI 36-3208, para 5-49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorabl Discharge, and to Change the RE Code, Reason and Authority for Discharge.

2. **BACKGROUND:**

a. DOB: 29 Jun 85. Enlmt Age: 17 8/12. Disch Age: 19 3/12. Educ: HS DIPL. AFQT: N/A. A-76, E-73, G-66, M-49. PAFSC: 4R011 - Diagnostic Imaging Helper. DAS: 1 Dec 03.

b. Prior Sv: (1) AFRes 05 Mar 03 - 02 Jun 03 (02 Mos 29 Das) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 3 Jun 03 for 4 years. Svd: 01 Yrs 04 Mo 23 Das, all AMS.

b. Grade Status: AB - 01 Sep 04 (Article 15, 1 Sep 04)  
Amn - 4 Dec 03

c. Time Lost: None.

d. Art 15's: (1) 1 Sep 04, Keesler AFB, MS - Article 86. You, did, on or about 13 Aug 04, without authority, fail to go at the time prescribed to your appointed place of duty. Reduction to AB. (No appeal) (No mitigation)

e. Additional: LOR, 02 AUG 05 - Failure to pay just Debt.  
LOR/UIF, 22 JUL 04 - Failed to report for duty.  
LOR, 20 JUL 04 - Left training without authorization.  
LOR, 22 JUN 04 - Failure to go on two occasion.  
AETC 173, 22 JUN 04 - Failed dorm room inspection.  
AETC 173, 14 JUN 04 - Failure to have her student folder filled out correctly.  
AETC 173, 01 JUN 04 - Falling asleep in class on numerous occasions.  
AETC 173, 06 APR 04 - Failure to go.  
AETC 173, 01 APR 04 - Failure to mark her student folder properly.  
AETC 173, 05 FEB 04 - Late for work on several occasions.

f. CM: None

g. Record of SV: None.

h. Awards & Decs: BMTSR, NDSM.

i. Stmt of Sv: TMS: (01) Yrs (07) Mos (21) Das  
TAMS: (01) Yrs (04) Mos (23) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 18 Apr 04.  
(Change Discharge to Honorable, and change the RE Code, Reason and Authority  
for Discharge.)

Issue 1: ISSUES ARE ATTACHED TO BRIEF.

**ATCH**

1. Applicant's Issues.
2. Memo for Record from GS-9 Biglane.
3. DD Form 214.

17JUN05/day

**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    d. SOCIAL SECURITY NUMBER  
 [REDACTED]    E-1    [REDACTED]

**2. DATE OF DISCHARGE OR SEPARATION** *(YYYYMMDD) (If date is more than 15 years ago, submit a DD Form 149)*    **4. DISCHARGE CHARACTERIZATION RECEIVED** *(X one)*    **5. BOARD ACTION REQUESTED** *(X one)*

2004     HONORABLE     CHANGE TO HONORABLE  
 GENERAL/UNDER HONORABLE CONDITIONS     CHANGE TO GENERAL/UNDER HONORABLE CONDITIONS  
 UNDER OTHER THAN HONORABLE CONDITIONS     CHANGE TO UNCHARACTERIZED *(Not applicable for Air Force)*  
**3. UNIT AND LOCATION AT DISCHARGE OR SEPARATION**     BAD CONDUCT *(Special court-martial only)*     CHANGE NARRATIVE REASON FOR SEPARATION TO:  
 81MOSS AET     UNCHARACTERIZED  
 Keosauqua Air Force Base     OTHER *(Explain)*

**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 from a General Discharge to an Honorable discharge. My primary reason for this is my wish to reenter into the United States 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.)*

**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)*  
 [REDACTED]    [REDACTED]  
 c. E-MAIL    [REDACTED]  
 d. FAX NUMBER *(Include Area Code)*    [REDACTED]

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)*  
 [REDACTED]    [REDACTED]  
 c. E-MAIL    [REDACTED]  
 d. FAX NUMBER *(Include Area Code)*    [REDACTED]

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.)*

a. SIGNATURE - REQUIRED *(Applicant or person in Item 11 above)*    b. DATE SIGNED - REQUIRED *(YYYYMMDD)*

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

I understand that my record during my prior enlistment in the United States Air Force isn't exactly perfect, however, I strongly believe that my offenses were blown way out of proportion. There were certain documents (LOC's, LOR's, Memo for Records) that I received that were either completely ludicrous or that I was oblivious to until receipt of the paperwork. In example the Memo for Record recorded by [redacted] pay supervisor...

cont. on next page

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

Continued:.....

on 28 June 2004. Yes, [REDACTED] discussed what she had stated, however, she recorded that at this time I was given a "no-contact-order". She merely told me to be more careful and not to "advertise" that he and I were friends. A month later received an L.O.R. stating that she had given me a no contact order. Times that I was late were explained by car troubles, appointments, etc and these were not put into the paperwork.

I don't mean to play myself off as the victim, but I strongly believe that things could have been dealt with differently. [REDACTED] drastic actions affected my career and more importantly my life. Looking back, I realize that I should have done things differently and I blame this, in-part, to immaturity on my behalf. Unfortunately, though, you can't go back and you can't change the past. This is why I am taking this opportunity to ask that you realize that no one is perfect and that people do deserve a second chance. I understand that if given the opportunity to reenter, I would have to work harder than even to gain my place and respect as an airman in the United States military; however, I want this chance more than anything. I can't stress this enough.

Thank you for your time and consideration in this matter.

Sincerely,

[REDACTED]



DEPARTMENT OF THE AIR FORCE

81ST MEDICAL SUPPORT SQUADRON  
KEESLER AFB, MISSISSIPPI 39534

ORIGINAL  
FD 2005-00134

13 SEPT 2004

MEMORANDUM FOR AB [REDACTED]

FROM: 81 MDSS/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for minor disciplinary infractions. The authorities for this action are AFD 36-32 and AFI 36-3208, chapter 5, paragraph 5.49. If my recommendation is approved, your service will be characterized as an Under Honorable Conditions (General) Discharge. I am recommending that your service be characterized as an Under Honorable Conditions (General) Discharge.

2. My reasons for this action are:

a. On or about 13 August 2004, you did, without authority, fail to go to your appointed place of duty, to wit: 81<sup>st</sup> Medical Support Squadron, Radiology Department, Building 468. For this infraction, you received nonjudicial punishment consisting of a reduction to the grade of E-1 with a new date of rank of 31 August 2004. (Atch 1, Appendix A w/atc)

b. On or about 27 July 2004, you dishonorably failed to pay your overdue AAFES Military Star card account, which was due and payable in the amount of \$130.00. For this infraction, you received a Letter of Reprimand, dated 2 August 2004. (Atch 1, Appendix B w/atc)

c. On 22 July 2004, you failed to report to your assigned Dormitory Orderly detail. For this infraction, you received a Letter of Reprimand, dated 22 July 2004. In addition, I established an Unfavorable Information File (UIF) for this infraction. (Atch 1, Appendix C w/atc)

d. On 15 July 2004, you failed to have your Temporary Folder filled out correctly. Your preceptor, A1C Casares, was accomplishing the folders, and you left the room while he was doing this. You had been previously counseled to ensure your temporary folder is completed prior to leaving work for the day. For this infraction, you received a Letter of Reprimand, dated 20 July 2004. (Atch 1, Appendix D w/atc)

e. On 15 June 2004, you failed to report to work at the required time of 0655 hours. For this infraction, you received a Letter of Reprimand, dated 22 June 2004. Also, on 15 June 2004, when [REDACTED] went to your dormitory room to find out why you had not reported to work, she observed you failed to have your dormitory room in inspection order. For this infraction, you were counseled as documented on AETC Form 173, dated 22 June 2004. (Atch 1, Appendix E w/atc)

f. On 14 June 2004, you were counseled for failing to properly fill out your folder on 11 June 2004, as documented on AETC Form 173, dated 14 June 2004. (Atch 1, Appendix F)



g. On 1 June 2004, you were counseled for sleeping in class as documented on AETC Form 173, dated 1 June 2004. (Atch 1, Appendix G)

h. On 6 April 2004, you were counseled for failing to work your scheduled weekend duty as documented on AETC Form 173, dated 6 April 2004. (Atch 1, Appendix H)

i. On 1 April 2004, you were counseled for failing to mark your folder with the exams you had accomplished and other task items as documented on AETC Form 173, dated 1 April 2004. (Atch 1, Appendix I)

j. On 5 February 2004, you were counseled for failing to report to work at the required time of 0655 hours as documented on AETC Form 173, dated 5 February 2004. (Atch 1, Appendix I)

Copies of the documents to be forwarded to the separation authority in support of this recommendation are attached. The commander exercising SPCM jurisdiction or higher authority will decide whether you will be discharged or retained in the United States 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 and any special pay, bonus, or education assistance funds may be subject to recoupment. The separation authority will make the findings and recommendations required under 10 U.S.C. Section 2005(g).

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 the Area Defense Counsel, on 13 SEPT 2004, at 1330 hours. The office is located in Bldg 0701, (Sablich Center), Room 243. The office telephone number is 377-2429. 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 16 SEPT 2004 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 have been scheduled for a medical examination. You must report to the Student Triangle Clinic on 13 SEPT 2004, at 1430 hours for the examination.

7. 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 <http://www.e-publishing.af.mil/pubfiles/af/36/afi36-3208/afi36-3208.pdf> or the unit orderly room.

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



**Attachments:**

1. Supporting Documents
  - a. AF Form 3070, dated 31 Aug 04 w/atchs
  - b. Letter of Reprimand, dated 2 Aug 04 w/atchs
  - c. Letter of Reprimand, dated 22 July 04 w/atchs
  - d. Letter of Reprimand, dated 20 July 04 w/atchs
  - e. Letter of Reprimand, dated 22 Jun 04 w/atchs
  - f. AETC Form 173, dated 14 Jun 04
  - g. AETC Form 173, dated 1 June 20
  - h. AETC Form 173, dated 6 Apr 04
  - i. AETC Form 173, dated 1 Apr 04
  - j. AETC Form 173, dated 5 Feb 04
2. Receipt of Notification Memorandum
3. Airman's Statement