

# AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD

NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)			GRADE		AFSN/SSAN																																				
TYPE GEN		PERSONAL APPEARANCE			X RECORD REVIEW																																				
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HEARING DATE <b>20 Dec 2005</b>		CASE NUMBER <b>FD-2005-00229</b>																																							
APPLICANT'S ISSUE AND THE BOARD'S DECISIONAL RATIONAL ARE DISCUSSED ON THE ATTACHED AIR FORCE DISCHARGE REVIEW BOARD DECISIONAL RATIONALE																																									
<p>Case heard at Washington, D.C.</p> <p>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.</p> <p>Names and votes will be made available to the applicant at the applicant's request.</p>																																									
SIGNATURE OF RECORDER			SIGNATURE OF BOARD PRESIDENT																																						
INDORSEMENT			DATE: 12/20/2005																																						
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-2005-00229**

**GENERAL:** The applicant appeals for upgrade of discharge to honorable.

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 is 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 she is interesting in pursuing a job in the Federal Government and by changing her discharge; it will increase her chances of employment and success for the future. The records indicated the applicant received two Article 15s, seven Letters of Reprimand, one Letter of Counseling, an Unfavorable Information File and was placed on the Control Roster for financial irresponsibility, missing appointments, dereliction of duty, displaying a negative attitude, unprofessional behavior and failure to obey an order. 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 A1C) (HGH SSgt)

**1. MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr Charleston AFB, SC on 23 Dec 02 UP AFI 36-3208, para 5.49 (Misconduct - Minor Disciplinary Infractions). Appeals for Honorable Discharge.

**2. BACKGROUND:**

a. DOB: 16 May 74. Enlmt Age: 19 5/12. Disch Age: 28 7/12. Educ: HS DIPL. AFQT: N/A. A-61, E-54, G-57, M-47. PAFSC: 2T171 - Vehicle Operations Journeyman. DAS: 21 Sep 01.

b. Prior Sv: (1) AFRes 4 Nov 93 - 14 Dec 93 (1 month 11 days)(Inactive).

(2) Enlisted as AB 15 Dec 93 for 4 yrs. Extended 7 Nov 96 for 14 months. Svd: 3 yrs 3 months 16 days, all AMS. AMN - 15 Jun 94. A1C - 15 Apr 95. SrA - 15 Dec 96. EPRs: 5,4,5.

ART 15:(1) 21 Nov 95, Altus AFB, OK - Article 128. You did, on or about 12 Nov 95, unlawfully grab Amn [REDACTED] by her hair and strike her in the face with your fist. Reduction Airman. Suspended forfeiture of \$150.00 pay per month for 2 months.

(2) 29 Mar 94, Lackland AFB, TX - Article 92. You, who knew of your duties, at or near San Antonio, Texas, on or about 12 Mar 94, were derelict in the performance of those duties, in that you willfully failed to refrain from drinking an alcoholic beverage while not of the legal drinking age, as it was your duty to do. Thirty days correctional custody (unserved correctional custody remitted on 30 Mar 94). Forfeiture of \$100.00.

**3. SERVICE UNDER REVIEW:**

a. Reenlisted as SrA 1 Apr 97 for 6 yrs. Svd: 5 Yrs 8 Mo 22 Das, all AMS.

b. Grade Status: A1C - 13 Nov 02 (Article 15, 13 Nov 02)  
SrA - 19 Jan 02 (Article 15, 19 Jan 02)  
SSgt - 1 Nov 00

c. Time Lost: None.

d. Art 15's: (1) 13 Nov 02, Charleston AFB, SC - Article 134. You, did, within the continental United States, on or about 03 Aug 02, make and utter to Cypress Cove, a certain check, in

words and figures as follows, to wit: Check #591 on 03 Aug 02 in the amount of \$600.00 to Cypress Cove in payment of a debt, and did thereafter dishonorably fail to maintain sufficient funds in your First Union National Bank account for payment of such check in full upon its presentment for payment. You, did, within the continental United States, on or about 05 Sep 02, make and utter to Cypress Cove a certain check, in words and figures as follows, to wit: Check #625 on 05 Sep 02 in the amount of \$966.14 to Cypress Cove in payment of a debt, and did thereafter dishonorably fail to maintain sufficient funds in your First Union National account for payment of such check in full upon its presentment for payment. You, being indebted to Cypress Cove Apartment Homes in the sum of 1141.14 for rent and associated fees, which became due and payable from on or about 01 Sep 02 to on or about 31 Oct 02, did, from on or about 01 Sep 02 to on or about 01 Nov 02, dishonorably fail to pay said debt. Reduction to A1C, and a reprimand. (Appeal/Denied) (No mitigation)

- (2) 19 Jan 02, Charleston AFB, SC - Article 92. You, who knew of your duties within the continental United States, from on or about 08 Aug 01 to on or about 13 Nov 01, were derelict in the performance of those duties in that you willfully failed to refrain from using your Bank of America Government Visa Travel Card for non-official travel expenses by making two purchases totaling approximately \$85.68, as it was duty to do. You, who knew of your duties, from on or about 11 Oct 01 to on or about 09 Jan 02, were derelict in the performance of those duties in that you negligently failed to pay your seriously delinquent Bank of America Government Visa Charge Card bill, which has a balance of \$1,418.83 that is over 90 days past due, as it was your duty to do. Article 134. You, did, within the continental United States, on or about 26 Oct 01, make and utter to Bank of America Government Visa Travel Card a certain check, in words and figures as follows, to wit: Check #511 on 26 Oct 01 in the amount of \$1,517.97 to Bank of America Government Visa Travel Card in payment of a debt, and did thereafter dishonorably fail to maintain sufficient funds in your account for payment of such check in full upon its presentment for payment. Reduction to SrA, and 30 days extra duty. (Appeal/Denied) (No mitigation)

- e. Additional: LOR/UIF, 23 SEP 02 - Financial irresponsibility.  
 LOR, 18 SEP 02 - Missed appointment.  
 LOR, 08 MAR 02 - Financial irresponsibility.  
 LOR, 13 DEC 01 - Dereliction of duty.  
 LOR/CR, 02 AUG 01 - Failure to obey an order, failure to go, dereliction of duty, displaying a negative attitude, unprofessional

behavior, and rude.

LOR, 23 MAY 01 - Failure to obey an order or regulation.

LOC, 22 MAY 01 - Financial irresponsibility.

LOR/UIF, 21 JUL 00 - Financial irresponsibility.

f. CM: None.

g. Record of SV: 07 Jan 97 - 14 Jul 97 Altus AFB 5 (CRO)  
 15 Jul 97 - 28 Apr 98 Altus AFB 4 (CRO)  
 29 Apr 98 - 28 Apr 99 Altus AFB 4 (Annual)  
 29 Apr 99 - 28 Apr 00 Altus AFB 4 (Annual)  
 29 Apr 00 - 28 Apr 01 Osan AB 4 (Annual)  
 29 Apr 01 - 16 Aug 01 Osan AB 2 (Cmdr Dir)REF  
 17 Aug 01 - 16 Aug 02 Charleston AFB 3 (Annual)

h. Awards & Decs: ARAM, NCOPMER, NDSM W/1 BS, AFTR, AFLSAR, AFGCM, AFOUA  
 W/4 BOLCS.

i. Stmt of Sv: TMS: (9) Yrs (1) Mos (20) Das  
 TAMS: (9) Yrs (0) Mos (9) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 9 Jun 05.  
 (Change Discharge to Honorable)

ISSUES ATTACHED TO BRIEF.

#### ATCH

1. Applicant's Issues.

13JUL05/ia

# 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	<input checked="" type="checkbox"/> AIR FORCE	COAST GUARD
b. NAME (Last, First, Middle Initial)	c. GRADE/RANK AT DISCHARGE		d. SOCIAL SECURITY NUMBER		
[REDACTED]	E3		[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)		
20021223	<input checked="" type="checkbox"/> HONORABLE		<input checked="" type="checkbox"/> CHANGE TO HONORABLE		
	<input checked="" type="checkbox"/> GENERAL/UNDER HONORABLE CONDITIONS		<input type="checkbox"/> CHANGE TO GENERAL/UNDER HONORABLE CONDITIONS		
	<input type="checkbox"/> UNDER OTHER THAN HONORABLE CONDITIONS		<input type="checkbox"/> CHANGE TO UNCHARACTERIZED (Not applicable for Air Force)		
3. UNIT AND LOCATION AT DISCHARGE OR SEPARATION 437 Logistic Readiness Squadron Charleston AFB SC	<input type="checkbox"/> BAD CONDUCT (Special court-martial only)		<input type="checkbox"/> CHANGE NARRATIVE REASON FOR SEPARATION TO:		
	<input type="checkbox"/> UNCHARACTERIZED				
	<input type="checkbox"/> 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 have since been in college full time and very close to graduating with a Bachelor's degree. I am interesting in pursuing a job in the Federal Government. Changing my discharge will increase my chances of employment and success for the future. My last 6 months in the Air Force seemed to be a changing point in my life. Despite the problems and derogatory items in my file I have learned from every one of them and it has made me a better person. My last year was by no means my best but I gave the Air

### 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)

<input checked="" type="checkbox"/>	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.
<input type="checkbox"/>	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.
<input type="checkbox"/>	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.)

FD 2005-00229

### a. SIGNATURE REQUIRED (Applicant or person in Item 11 above)

### b. DATE SIGNED - REQUIRED (YYYYMMDD)

20050609

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

Force several good years. I hope that when considering my case you do not only look at my last year but also the many before that that I served honorably along with the success and discipline that I took with me to the civilian world. My success and discipline in the civilian world is a reflection of what the Air Force gave me. I have since married a man in the Marine Corp and changing my discharge could make a very big impact on our family. I have many references if needed to support my honorable service for the nine years that I served.

**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



DEPARTMENT OF THE AIR FORCE  
HEADQUARTERS 437TH AIRLIFT WING (AMC)

FD 2005-00 229

DEC 04 2002

MEMORANDUM FOR A1C [REDACTED]

FROM: 437 LRS/CC

SUBJECT: Notification Memorandum—Board Hearing

1. I am recommending your discharge from the United States Air Force for Minor Disciplinary Infractions. The authority for this action is AAFD 36-32 and AFI 36-3208, paragraph 5.49. If my recommendation for discharge is approved, your service will be characterized as honorable, general, or under other than honorable conditions. I am recommending that your service be characterized as general.

2. My reasons for this action are:

a. On 13 Nov 02, you received an article 15 for the following offenses (atch 1a):

(1) On or about 3 Aug 02, you made and uttered to Cypress Cove a certain check in the words and figures as follows to wit, check # 591 in the amount of \$600.00 and failed to maintain sufficient funds for said check.

(2) On or about 5 Sep 02, you made and uttered to Cypress Cove a certain check in words and figures as to wit, check # 625 in the amount of \$966.14 and failed to maintain sufficient funds for said check.

(3) On or about 1 Sep 02 through 31 Oct 02, you failed to pay a just debt to Cypress Cove Apartment Homes in the amount of \$1141.14.

b. On or about 15 Jul 02, you failed to maintain sufficient funds in your bank account for a check that was written to National Cash Advance in the amount of \$345.00. For this action you received a Letter of Reprimand, dated 23 Sep 02 (atch 1b).

c. On or about 17 Sep 02, you failed to go to a scheduled dental appointment. For this action you received a Letter of Reprimand, dated 18 Sep 02 (atch 1c).

d. On or about 5 Mar 02, you failed to pay a just debt, in that you had not paid your government travel card bill with a balance of \$272.58. Of this balance \$141.88 was over 90 days over due. For this action you received a Letter of Reprimand, dated 8 Mar 02 (atch 1d).



e. On 11 Jan 02, you received an Article 15 for the following offenses (atch 1e):

- (1) From on or about 8 Aug 01 to on or about 13 Nov 01, you were derelict in the performance of your duties in that you willfully failed to refrain from using you Bank of America Government Visa Travel Card for non-official travel expenses by making two purchases totaling approximately \$85.68.
- (2) From on or about 11 Oct 01 to on or about 9 Jan 02, you were derelict in the performance of your duties in that you negligently failed to pay your delinquent Bank of America Government Visa Charge Card, which had a balance of \$1,418.83.
- (3) On or about 26 Oct 01, you made and uttered to Bank of America Government Visa Travel Card a check in words and figures, to wit: Check number 511 in the amount of \$1517.97 and failed to maintain sufficient funds for said check.

f. On or about 12 Dec 01, you were derelict in duty and you failed to go to a scheduled meeting. For this action you received a Letter of Reprimand, dated 13 Dec 01 (atch 1f).

g. On or about 20 Jul 01, you failed to go to your appointed place of duty for a scheduled pretest on your CDC's. On or about 21 Jul 01 you were derelict in the performance of your duties as a vehicle operator. For this action you received a Letter of Reprimand and were placed on a control roster, dated 2 Aug 01(atch 1g).

h. On or about 21 May 01, you made and uttered to Osan Bowling Center a certain check in the words and figures as follows to wit, check # 1883 in the amount of \$5.25 and failed to maintain sufficient funds for said check. For this action you received a Letter of Counseling, dated 22 May 01 (atch 1h).

i. On or about 21 May 01, you failed to obey an order. For this action you received a Letter of Reprimand and it was placed in your UIF, dated 23 May 01 (atch 1i).

j. On or about 21 Jul 01, you failed to pay just debts to several different agencies and individuals in the amount of \$3,325.40. For these actions you received a Letter of Reprimand and an Unfavorable Information File was established, dated 21 Jul 01 (atch 1j).

3. This action could result in your separation from the Air Force. I am recommending that you receive a general discharge. The commander exercising SPCM jurisdiction or a higher authority will make the final decision in this matter. If you are discharged, you will be ineligible for reenlistment in the Air Force.

4. You have the right to:

- a. Consult legal counsel.
- b. Present your case to an administrative discharge board.

- c. Be represented by legal counsel at a board hearing.
- d. Submit statements on your behalf in addition to, or in lieu of, the board hearing.
- e. Waive the above rights. You must consult legal counsel before making a decision to waive any of your rights.

5. You have been scheduled for a medical examination. You must report to 437th Medical Group, Physical Exams at 0930 on 9 Dec 02 for the examination.



6. Military legal counsel (Capt [REDACTED] ADC, Bldg. 503, 3-4415/16) has been obtained to assist you. An appointment has been scheduled for you to consult with him on \_\_\_\_\_ at \_\_\_\_\_. Instead of the appointed counsel, you may have another, if the lawyer you request is in the active military service and is reasonably available as determined according to AFI 51-201. In addition to military counsel, you have the right to employ civilian counsel. The Air Force does not pay expenses incident to the employment of civilian counsel. Civilian counsel, if employed, must be readily available.

7. Confer with your counsel and reply, in writing, within 7 workdays, specifying the rights you choose to exercise. The statement must be signed in the presence of your counsel who also will sign it. If you waive your right to a hearing before an administrative discharge board, you may submit written statements on your own behalf. I will send the statements to the discharge authority with the case file to be considered with this recommendation. If you fail to respond, your failure will constitute a waiver of the right to the board hearing.

8. If you request a board and you fail to appear without good cause, your failure to appear constitutes a waiver of your right to be present at the hearing.

9. 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 437<sup>th</sup> Logistics Readiness Squadron Orderly Room.

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

  
, Maj, USAF  
Commander

Attachments:

1. Documents Supporting Reason for Discharge
  - a. Article 15, dated 13 Nov 02
  - b. LOR, dated 23 Sep 02
  - c. LOR, dated 18 Sep 02
  - d. LOR, dated 8 Mar 02
  - e. Article 15, dated 19 Jan 02
  - f. LOR, dated 13 Dec 01
  - g. LOR, dated 2 Aug 01
  - h. LOC, dated 22 May 01
  - i. LOR, dated 23 May 01
  - j. LOR/UTF, dated 21 Jul 01
2. Other Documents Containing Derogatory Information – Not Listed in Notification Letter