

**AIR FORCE DISCHARGE REVIEW BOARD HEARING RECORD**

<b>NAME OF SERVICE MEMBER (LAST, FIRST MIDDLE INITIAL)</b> [REDACTED]	<b>GRADE</b> AIC	<b>AFSN/SSAN</b> [REDACTED]
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<b>TYPE GEN</b>	<b>PERSONAL APPEARANCE</b>	<b>X</b> <b>RECORD REVIEW</b>
<b>COUNSEL</b> NAME OF COUNSEL AND OR ORGANIZATION		<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
[REDACTED]	X				
[REDACTED]	X				
[REDACTED]	X				
[REDACTED]	X				
[REDACTED]	X				

<b>ISSUES</b> A49.00	<b>INDEX NUMBER</b> A94.06	<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> 27 Dec 2005	<b>CASE NUMBER</b> FD-2005-00281	
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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> [REDACTED]	<b>SIGNATURE OF BOARD PRESIDENT</b> [REDACTED]
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<b>INDORSEMENT</b>	<b>DATE: 12/27/2005</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

FD-2005-00281

**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 is approved. 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 impropriety that would justify a change of discharge. However, based upon the record and evidence provided by applicant, the Board finds the applicant's discharge characterization inequitable.

**ISSUE:** Applicant contends discharge was inequitable because it was too harsh. The records indicated the applicant received a Letter of Reprimand for consuming alcohol underage and two Memorandums for Record for failing his course examination twice. A two time failure of an individual's course examination is reason for discharge. However, it is not reason for a General discharge unless there is other significant misconduct. Receiving a LOR for consuming alcohol underage is misconduct, but we do not discharge individuals for one time underage consumption of alcohol.

**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.

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 characterization under the provisions of Title 10, USC 1553.

Attachment:

Examiner's Brief

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

[REDACTED]  
(Former A1C) (HGH A1C)

1. **MATTER UNDER REVIEW:** Appl rec'd a GEN Disch fr Beale AFB, CA on 2 Aug 04 UP AFI 36-3208, para 5.26.3 (Unsatisfactory Performance). Appeals for Honorable Discharge, and to Change the RE Code, Reason and Authority for Discharge.

2. **BACKGROUND:**

a. DOB: 27 Jan 84. Enlmt Age: 17 11/12. Disch Age: 20 6/12. Educ: HS DIPL. AFQT: N/A. A-57, E-59, G-44, M-49. PAFSC: 2A733 - Aircraft Structural Maintenance Apprentice. DAS: 08 Apr 03.

b. Prior Sv: (1) AFRes 26 Jan 02 - 05 Aug 02 (06 months 10 days) (Inactive).

3. **SERVICE UNDER REVIEW:**

a. Enlisted as AB 06 Aug 02 for 6 yrs. Svd: 01 Yrs 11 Mo 27 Das, all AMS.

b. Grade Status: A1C - 20 Sep 02

c. Time Lost: None.

d. Art 15's: None.

e. Additional: LOR, 04 JUN 03 - Consuming alcohol underage and making false statements.

MEMO, 25 MAY 04 - Second Course examination failure.

MEMO, 15 MAR 04 - First Course examination failure.

f. CM: None.

g. Record of SV: 06 Aug 02 - 06 Apr 04 Beale AFB 3 (Initial)REF

h. Awards & Decs: AFTR.

i. Stmt of Sv: TMS: (02) Yrs (06) Mos (07) Das

TAMS: (01) Yrs (11) Mos (27) Das

4. **BASIS ADVANCED FOR REVIEW:** Appln (DD Fm 293) dtd 14 Jul 05.

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

ISSUES ATTACHED TO BRIEF.

ATCH

1. Applicant's Issues.

16AUG05/ia

I [REDACTED] was discharged, general Under honorable conditions, Aug 2, 2004. From the United State Air Force. Discharged for unsatisfactory performance

To wrap it up in a nutshell, I failed to pass the required test for Aircraft Structural Maintenance. Note that I have no one, except myself to blame for this failure. As for the aftermath, the commander offered two options, option one to cross train or option two to separate. As a teen, at the age of 18, just graduating from High School I did not know any better. So I chose to separate.

I did not have a clue, not like I know now, how life was outside the military, the civilian life. You could say I was curious, on how it would or wouldn't be like. And, of course, we all know that curiosity killed the cat. It sure did, life is harsh specially working dead end jobs, that pay nothing.

I guess what I'm trying to say is, I did not accomplish what I thought I was going to accomplish out here in Texas. Don't get me wrong, it wasn't a complete failure. I have not got myself in any trouble or, for the worst, thrown in jail. It is just not the same without the military being in my heart nor my heart being with the military. The military really does take care of it's people and I was too blind to see that. With three cubes a day and a roof over one's head, who can go wrong with that.

That not the only reason why one, like me, should reenlist or sign up in the first place. It is the sole purpose of the military, by the military to bring peace to this wonderful country of ours. And for that reason mankind should serve, for that main reason I should serve!



DEPARTMENT OF THE AIR FORCE

9TH MAINTENANCE SQUADRON (ACC)  
BEALE AIR FORCE BASE, CALIFORNIA 95903

FD2005-00281

JUL 26 2004

MEMORANDUM FOR [REDACTED]

FROM: 9 MXS/CC

SUBJECT: Notification Memorandum

1. I am recommending your discharge from the United States Air Force for Unsatisfactory Performance: Failure to progress in on-the-job training (OJT). The authority for this action is AFPD 36-32 and AFI 36-3208, paragraph 5.26.3. 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 reason for this action is:
  - a. On 25 April 2003, you were caught by the Dorm CQ (Bldg 24110) consuming alcohol as a minor. Furthermore, you made a false official statement regarding this issue. For these acts of misconduct, you received a Letter of Reprimand on 4 June 2003.
  - b. On 15 March 2004, you were notified that you failed your first course examination for Career Development Course, 2A753. For this failure, an Interview for first time Career Development Course Failure was accomplished on 23 March 2004. Subsequently you completed a supervised study program
  - c. On 25 May 2004, you were notified that you failed your Career Development Course, 2A753, for the second time.
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 Tyler Merkel at Area Defense Counsel, on 26 July 2004, at 1030 hours. 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 29 July 2004 at 1600 hours 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 Public Health on 29 July 2004, at 0730 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 your Commander's support staff or Separations Office at the MPF.

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

[REDACTED]

, Lt Col, USAF

Commander

Attachments:

1. Supporting Documents
2. Receipt of Notification Memorandum